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ABSTRACT

Positive alternatives to disciplinary exclusion of behaviorally disordered children and youth are examined. Chapter 1 defines disciplinary exclusion and reviews its legal status. Chapter 2 describes common exclusionary practices (in-school suspension, continuous suspension, shortened school day, homebound instruction, alternative school placement, ignored truancy, and administrative transfer). Concepts of decorum and discipline are examined in chapter 3, which also considers approaches in which the decorum/discipline balance has become dysfunctonal. Suggestions are made for development of a positive, proactive, prosocial approach. Chapter 4 describes Florida's use of the individualized education program to address issues of suspension and expulsion. An in-school suspension program is cited, in chapter 5, as a positive approach by which students are helped to learn about consequences and coping skills. A final chapter, chapter 6, describes the role of alternative schools in programming for behavior disordered children. (CL)

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National Needs Analysis in

BEHAVIOR DISORDERS

Positive Alternatives to Disciplinary Exclusion

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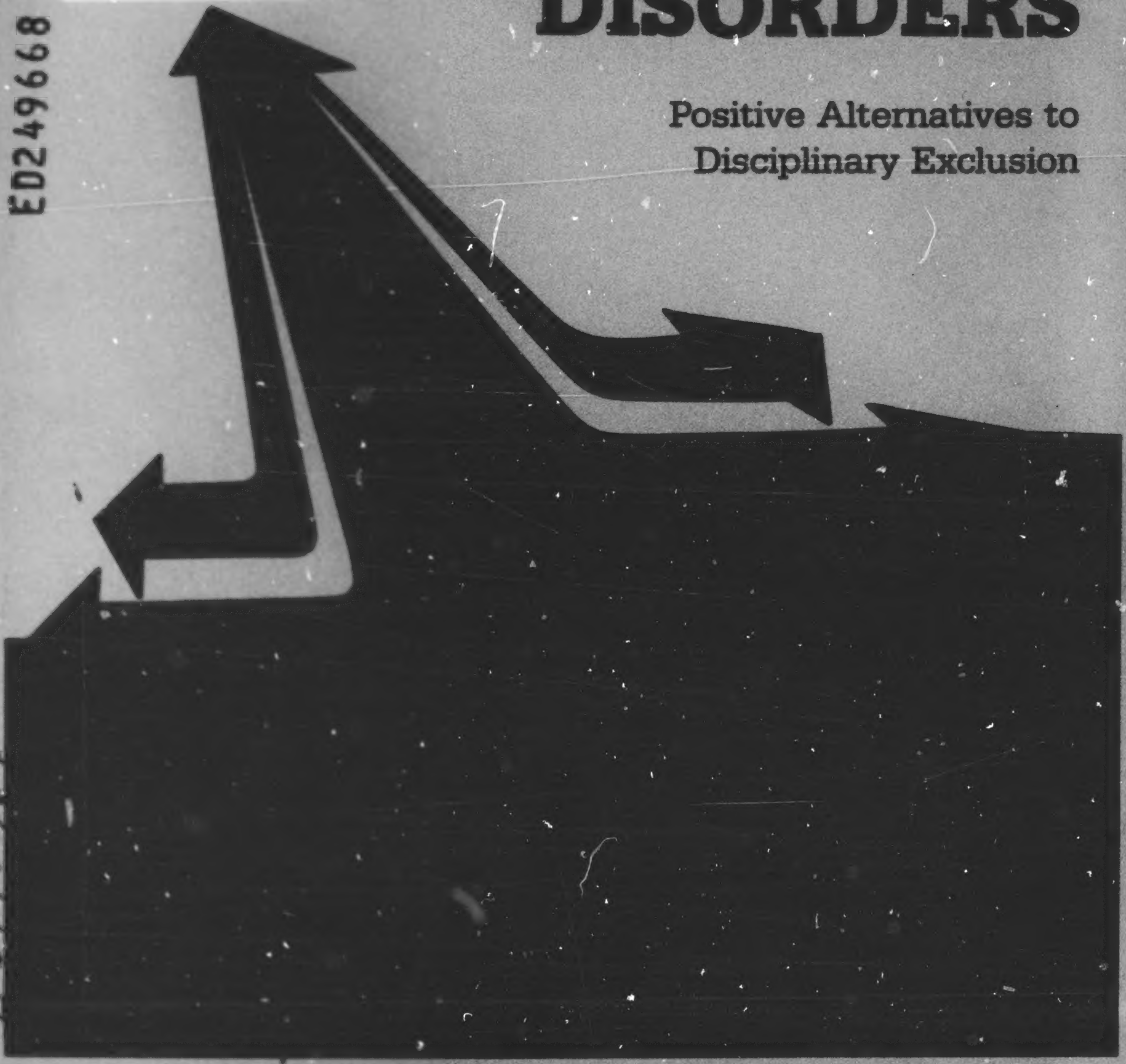

NATIONAL NEEDS ANALYSIS IN BEHAVIOR DISORDERS

POSITIVE ALTERNATIVES TO THE DISCIPLINARY EXCLUSION OF BEHAVIORALLY DISORDERED STUDENTS

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CHAPTER 1

REVIEW AND UPDATE OF LEGAL STATUS

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Introduction

In 1981 the National Needs Analysis Project published a working paper on the disciplinary exclusion of behaviorally disordered children and youth. That document focused primarily on the various judicial and Office of Civil Rights (OCR) rulings relative to the exclusion or suspension of behaviorally disordered children and youth. While the rulings were fairly clear concerning what schools could not do, they offered little guidance for positive alternatives. Since the time of that document, the legal situation has not changed. New rulings are consistent with those reviewed in the original document. Moreover, with a few exceptions, little positive, proactive thinking has been done concerning alternatives for behaviorally disordered children and youth whose behavior violates public school discipline policy. It is the intent of this document to explore some positive alternatives to the disciplinary exclusion of behaviorally disordered children and youth.

This chapter will begin by defining disciplinary exclusion and briefly reviewing the legal status of disciplinary exclusion as of Fall, 1981, (the date of the previous document on disciplinary exclusion). It is not the purpose here to re-analyze the various judicial and OCR decisions, but merely to summarize their thrusts. The full analysis and the texts of the numerous court and OCR decisions are available to the reader via the document entitled Disciplinary Exclusion of Seriously Emotionally Disturbed Children. The next section will summarize the judicial and Office of Civil Rights (OCR) rulings that have occurred since that time. Finally, brief mention will be made of some developing efforts by SEAs and LEAs to offer positive alternatives to disciplinary exclusion.

Definition

Exclusion refers to the removal from or the prohibition of participating in the public school program in part or entirety. A substantial body of policy and litigation exists which relates to exclusion based on such issues as health and immunization of students, educability and academic admission criteria for students and existence of handicapping conditions. While some of the judicial and administrative decisions relative to these different causes for exclusion may be predicated upon principles similar to those used for decisions on disciplinary exclusion, the decisions summarized here focus only on disciplinary exclusion, i.e., exclusion resulting from the student's behavior and designed to protect the "decorum" and "educational environment" appropriate to a public school.

There are two broad types of disciplinary exclusion: suspension and expulsion. As developed through recent practice, suspension usually refers to a temporary (10 days or less) exclusion of a student, typically as a result of a crisis or emergency situation. Expulsion, on the other hand, usually refers to the more or less permanent exclusion of a student from a particular program or placement typically as a result (consequence or punishment) of behavior which was viewed as being severely disruptive of the school program or posing a threat to the physical or emotional well-being of faculty and other students.

Three factors differentiate these two types of exclusion. As noted above, time is one differentiating factor. Suspension is a temporary measure, usually of a 3-10 day duration. Expulsion is for a longer period of time, i.e., for the remainder of a school year (although sometimes all future involvement is prohibited). A second differentiating factor involves the nature of the exclusion, i.e., emergency vs. non-emergency. Since expulsion requires some very formal due process procedures (see below), emergency situations are generally responded to via suspension. Most suspensions, however, are not emergency ones so these suspensions as well as expulsion occur in non-emergency situations. The third differentiating factor focuses upon due process requirements. The due process procedures associated with expulsion are more stringent than those required for suspension. Due process prior to expulsion has a long and clear case law history. It is accurate to say that no student (handicapped or not) may be permanently excluded (expelled) from educational participation without an opportunity for a formal evidentiary hearing. Suspension as opposed to expulsion, requires minimal due process, which most typically involves: oral or written notice of the charges against the student; an explanation of the evidence the school authorities have; and an opportunity for the student to present his/her side of the story (Goss v. Lopez, 419 U.S. 565, 1975). Such minimal due process procedures most typically do not include a formal evidentiary hearing.

Applicable Federal Legislation

Two overlapping pieces of federal legislation and their accompanying regulations are pertinent: the Education of the Handicapped Act as Amended by Public Law 94-142 (referred to hereafter as P.L. 94-142 or EHA) and Section 504 of Public Law 93-112, the Rehabilitation Act of 1973 (referred to hereafter as Section 504). It is important to note that both statutory and regulatory language has been considered by the courts and OCR in their various decisions. In some cases, particularly in regard to P.L. 94-142, the statutory grounds for decisions are utilized with clarification and support provided by the regulations. In other cases, usually in regard to Section 504 in which the statutory language itself is brief and broad, there is more reliance by the courts and OCR on the regulatory language.

Summary of Court and OCR Decisions to Fall, 1981

The National Center for Law and Education in December, 1980, succinctly stated:

> The federal laws safeguarding the rights of students with special needs have implications for disciplining students identified as handicapped, those with evaluations or appeals pending, and students who may be perceived as handicapped, and, in particular, the circumstances under which they can be excluded through disciplinary suspension or other exclusion.
>
> Suspension and expulsion of handicapped students may be illegal under P.L. 94-142, as well as Section 504 of the Rehabilitation Act of 1973, and may be illegal for students referred for evaluation or perceived to be handicapped on one of the following grounds:
>
> 1. The right to a free appropriate public education (FAPE) which includes specially designed instruction to meet the student's individual needs.
> 2. The right to have any change in placement occur only through the prescribed procedures.
> 3. The right to an education in the least restrictive environment with maximum possible interaction with nonhandicapped peers.
> 4. The right to continuation of the current educational placement during the pendency of any hearing or appeal, or during any proceeding relating to the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education.
> 5. The right not to be excluded from, denied benefits, aids, or services, or be discriminated against on the basis of one's actual or perceived handicapped status.
>
> For students who have never been classified as handicapped or referred to evaluation:
>
> 6. The right not to be excluded from, denied benefits, aids, or services, or be discriminated against on the basis of one's actual or perceived handicapped status.

Following is a brief summary of the decisions made by the courts and OCR on each of the above listed grounds. This summary includes the major decisions rendered through Fall, 1981.

1. Free appropriate public education has been a central issue in many court cases and OCR complaints. With only a few exceptions the courts and OCR have found that exclusion, expulsion, constructive exclusion and non-emergency suspension violate a handicapped child's right to FAPE. These decisions have included lengthy discussions not only of the central issue of the legality of exclusion, but also of two related issues: (a) must a student's inappropriate behavior be related to the handicapping condition in order for FAPE to be violated by an exclusion, and (b) if only non-emergency suspension violates FAPE, what constitutes emergency exclusion and how may it be effected upon handicapped students? The general summary of the decisions on these three issues is that:

   a. any non-emergency exclusion of handicapped students violates FAPE.

   b. Despite some conflicting decisions, it would appear that it is difficult and/or unnecessary to determine if the behavior is related to the handicap. Some decisions maintain that if a child is handicapped then #1 applies, regardless of a relationship or lack of it to the handicap. Other decisions maintain that if there is no relationship between the handicap and the behavior then exclusion is permissible. However, the point is virtually moot because only one of 30 court cases and none of the 17 OCR decisions have been able to support that such a distinction can be made. Apparently, it is quite difficult to prove that a child's disruptive behavior is not associated with a handicap, and a presumption that it is, generally holds sway. If this is the case for other handicaps, it would appear to be virtually impossible to be persuasive that this separation could be made for a seriously emotionally disturbed student.

   c. Emergency exclusion of handicapped students is permitted under stringent conditions. Specifically, the normal due process procedures must be followed, the student's placement may not be changed without the procedures outlined in P.L. 94-142, the student's behavior must "represent an immediate physical danger to him/herself or others or constitute a clear emergency" (Matti T. v. Holladay, 1977), and serial suspensions are prohibited.

2. In regard to the change of placement issue, the courts and OCR have consistently reasoned that disciplinary exclusion constitutes a change of placement. Given that, the procedural safeguards listed in P.L. 94-142 apply. It should also be noted that these safeguards are in addition to the due process procedures required by any suspension or expulsion. Further, any emergency exclusion of more than three days constitutes a change of placement and thus change of placement safeguards must be provided in addition to the usual due process requirements. Therefore, emergency exclusion is not a means by which a district can initially exclude a child, and then ignore procedural safeguards, since emergency suspension cannot be extended or made permanent, but must lead to re-evaluation and placement.

3. Some court cases have addressed disciplinary exclusion in light of the least restrictive environment (LRE) guarantees of P.L. 94-142 and Section 504. These decisions have utilized LRE as a basis for refusing districts the option of exclusion. Obviously, an excluded child may not simultaneously be benefiting from an appropriate placement in a least restrictive environment, whatever that may be for the child in question.

4. The right to continuation of the current placement during certain proceedings is guaranteed under P.L. 94-142. Those "certain proceedings" include "provisions concerning any proposal to initiate or change or refusal to initiate or change the identification, evaluation or placement of the child or the provision of FAPE" (National Center for Law and Education). Two critical points follow here; the first is explicit: since, as has been summarized, expulsion is a change of placement, any challenge to that "placement" will invoke procedural safeguards which require that the student remain in his/her current placement unless emergency suspension has occurred. In that case, emergency suspension does not constitute a change of placement unless

suspension is for more than 10 cumulative days (National Center for Law and Education). The second point is that this safeguard applies to students who have been referred for evaluation even though they have not been identified as handicapped. This prohibits districts from excluding a student who might reasonably be expected to be handicapped and, therefore, entitled to the rights under P.L. 94-142. The reasoning for all the above is clearly stated in S-1 v. Turlington (heard in U.S. District Court): "disciplinary proceedings do not supersede the rights of handicapped children under the Handicapped Act".

5 & 6. OCR investigations of Section 504 violations and court decisions based upon Section 504 (as well as P.L. 94-142) generally look to the requirements of FAPE, LRE, and due process (discussions 1-4) in determining if Section 504 has been violated. If these three requirements as set forth in the Section 504 regulations have been violated, then discrimination based upon a handicap is determined.

Update of Court and OCR Decisions

The previously published document on disciplinary exclusion initially reviewed more than 30 court cases and 17 OCR decisions (10 of the former and 5 of the latter were eventually included for detailed analysis). Thus, some 47 decisions on the topic of disciplinary exclusion were handed down between 1978 and Fall, 1981. Since Fall of 1981, the Education for the Handicapped Law Report has published only two additional decisions (one court case, one OCR decision). While it is impossible to ascertain the cause or causes of such a precipitous drop in litigation and formal complaint filing, it appears reasonable to speculate that a contributing cause is the fact that the clear thrusts of the decisions up until Fall, 1981, resulted in the alteration of LEA exclusionary policies as they relate to handicapped students. Those first 47 decisions made it clear that exclusion of handicapped students is usually in violation of their rights and when it is not so still requires a range of due process procedures and alternative services that mitigate against the exclusionary action.

The two decisions since Fall, 1981, are in complete accord with the earlier decisions. In the case of Adams Central School District v. Deist, the court affirmed that exclusion of a handicapped child is a change of placement which requires the procedural protections enumerated in EHA. Also, this court was of the opinion that if there is no relationship between the behaviors in question and the child's handicap then exclusion may be permissible *if* the appropriate procedural protections (usual school policy plus EHA ones) have been followed. However, once again that point appears moot because this court, like virtually all others, found that the behaviors were related to the handicap. In this case the court also states that the burden of proof concerning the lack of relationship between the behavior and the handicap rests with the schools. Again, we see the presumption that the relationship exists unless proven otherwise - a formidable task. The OCR ruling, Canel, Aronson and Whitted (IL), supports the earlier conclusion that exclusion of a behaviorally disordered student (in this case by suspending for 18 days with no services and later by adding "drop out or alt. ed. [alternative education]" to student's IEP) constitutes denial of FAPE.

In short, little litigation or complaint filing has occurred since the Fall of 1981. The two decisions that have been noted are completely consistent with the earlier summary, and no new or substantative points have come to light.

Progress

In the last few years, mainly since the clear thrusts of the opinions summarized earlier, a few points of progress have been noted in regard to the development of positive alternatives to disciplinary exclusion. Two of these are briefly mentioned here.

According to Barnette and Parker (1982) there are now 12 states that either have in place or are developing policies to deal specifically with the exclusion of handicapped and/or behaviorally disordered students. Some caution is warranted here prior to assuming that these policies represent progress in developing positive alternatives to disciplinary exclusion. While some policies have developed, endorsed or mandated such alternatives, other policies are little more than a series of procedural steps for LEAs to follow in order to exclude a student and not violate his/her rights. While the development of such procedures is an improvement over violating a handicapped students's rights, such efforts can hardly be described as positive alternatives to exclusion.

Increasing numbers of LEAs are developing some positive alternatives to disciplinary exclusion. Many of these alternatives are prevention oriented, aimed at altering behavior before it becomes problematic enough to consider exclusion. Other alternatives being developed involve procedural steps that are invoked when a handicapped student behaves in a way that might lead to exclusion. These alternatives may include re-evaluation of the current intervention techniques and disciplinary alternatives within the school environment that allow for the continuation of appropriate services. Examples of some of these LEA alternatives are discussed in this document.

Conclusion

The summary of judicial and OCR decisions as of Fall, 1981, are still viable at this printing. It is clear that few handicapped students can be excluded without violating their rights. In the few cases where exclusion does appear possible, there are a variety of procedural and educational steps that must be pursued. While it is certainly progress that handicapped students' rights are being clearly upheld, merely retaining in school handicapped students with serious behavior problems is not fair to the students, teachers or administrators of schools. Our goal must be to seek alternatives that not only retain these students but also improve their behavioral functioning.

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Kathy Stuart v. Pasquale Nappi. Civ. No. B-77-381, United States District Court, January 4, 1978.

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CHAPTER 2

COMMON EXCLUSIONARY PRACTICES

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Introduction

It may be helpful, for the sake of comparison to later chapters, to review some common exclusionary practices that are utilized with behaviorally disordered children and youth. Expulsion, as defined in Chapter 1, has been significantly curtailed for all children, including those who are behaviorally disordered, as a result of the formalization of expulsion procedures and the strict due process requirements that have been delineated by the judicial system. Emergency suspension and non-emergency suspension can both be utilized within certain parameters, without changing a student's current program. In many instances, perhaps most, however, some change in school programming will coincide with such suspensions provided that the precedents delineated in Chapter 1 are followed. Thus, the exclusionary practices that are discussed in this chapter represent those that school officials often use in one of two instances:

1. In those situations where some form of school suspension triggers a due process procedure that requires consideration of an altered school program; and
2. In those situations where identified behaviorally disordered students (also non-identified behaviorally disordered students and non-handicapped students who experience discipline problems) are exhibiting increasingly problematic behavior and program changes are sought prior to any form of suspension.

There are, unfortunately, a number of ways to effectively exclude children and youth from full school participation without expelling, suspending or otherwise violating legal mandates. The following list is certainly not exhaustive. However, prior to the delineation of such practices, three important points should be considered.

The first of these is that the type of practice discussed here is not the critical factor, rather it is the way in which the practice is delivered that determines whether or not it is exclusionary or a viable, positive alternative for a student. The reader will notice, in fact, that some practices are discussed here as exclusionary ones while later chapters of this document present those very practices as "positive alternatives" to exclusion. Thus, what is being discussed in the section that follows are practices commonly used in such a way that they effectively exclude behaviorally disordered children and youth, as well as other students, from full participation in a free appropriate public education.

It should be noted, also, that the way in which a practice is implemented is directly tied to the general philosophy held by a given school or school district. Emphasis on discipline rather than decorum (see Chapter 3) coupled with generally dysfunctional school approaches (see Chapter 3) will likely result in the utilization of these practices in an exclusionary manner. Conversely, a school emphasis on decorum coupled with a positive system philosophy (see Chapter 3) can result in the utilization of these practices in the positive manner in which they are addressed in Chapters 4, 5, and 6.

Finally, the exclusionary practices discussed here are, as noted earlier, ones that school administrations utilize with all students, handicapped or not. However, because of the tendency of many behaviorally disordered students to engage in rule breaking behavior, the impact of these practices is particularly problematic for the students who are handicapped by their behavior.

Common Exclusionary Practices

In-school Suspension

This practice consists of assigning a student to a "detention" class during the school day rather than to his/her assigned class or classes. Three common occurrences in an in-school suspension class are:

1. the students have no meaningful programming, i.e., they are required to copy dictionary words, copy school rules, do repetitious drill sheets, etc.
2. students are not allowed to make up any of their regular class work or tests that are missed while in in-school suspension, thus insuring continuing problems or failure in the regular class(es); and
3. often students end up assigned repeatedly, continuously, or permanently to the "temporary" in-school suspension class.

Continuous Suspension

Judicial decisions and most school policies have placed a limit on the maximum length of a single suspension (usually 3-10 days). However, many schools do not place limits on the total number of suspensions that can be imposed during the course of a school year and the courts have not generally dealt with that question. Thus, a student may be suspended for three days, return for a half day, be suspended for three more, etc. and/or receive so many "legal" suspensions that the student is absent a substantial percentage of the school year. If those suspensions are coupled with a common practice of denying the student the opportunity to "make-up" missed work and/or tests, then the student's long-term failure in school is insured.

Shortened School Day

While the shortened school day may be a legitimate tool in the education of some behaviorally disordered students, it is sometimes used simply to systematically reduce the number of hours that a difficult student spends in the school building. In this case its purpose is not to benefit the student, but to relieve the staff and administration from involvement with a demanding and, perhaps, unpleasant individual.

Homebound Instruction

Again, a practice that has legitimate uses is sometimes used primarily to relieve school personnel from the responsibility of:

1. interacting with problem students; and
2. planning a more suitable educational program to meet a student's needs.

Requirements vary concerning the amount of instructional time received by a student placed on homebound instruction. Some districts require as little as two hours of instruction per week; others require up to two hours per day. Such limited instruction effectively excludes behaviorally disordered students from receiving appropriate educational programming. Additionally, in recent years, as state departments of education or state regulations have tightened up on the medical prerequisite traditionally associated with eligibility for homebound instruction, schools have opted to relabel such programs "home-study programs" in order to maintain them as a viable exclusionary practice.

Alternative School Placement

Alternative schools are not usually, by definition, special education service delivery options. Generally, they are designed as an option for students who are not motivated to participate in the regular education curriculum. Unfortunately, alternative schools are also used to remove from the regular school building those students whose behavior is particularly troublesome. Some of those students are ones who probably should be referred and evaluated for the possibility of being behaviorally disordered. However, rather than receiving such referral and evaluation, the school personnel encourage or recommend the "legitimate" exit pattern of movement to an alternative school.

If their needs continue to be unmet, these students eventually drop out of school totally, perhaps to be served at later points in time by community mental health programs or in facilities for the neglected and delinquent. Thus, alternative schools may provide one option used by school officials (or sometimes by the student himself/herself) to "ease" out of the school system those students who may be unidentified behavior disordered students.

Ignored Truancy

In most districts it is impossible for the appropriate authorities to follow up on all cases of truant behavior. In other districts the community value system simply does not encourage such follow-up. In either case there is often a reluctance on the part of school staff to actively seek truant warrants, particularly for chronically truant students. Unfortunately, it is often true that many of the truant students are behaviorally disordered (either identified or unidentified).

Administrative Transfer

In large school districts there are behaviorally disordered students who are periodically moved from one building and service to another. The stated rationale is that the move will provide a more appropriate program. The real reason is that often staff and administration have become frustrated, annoyed, angry, etc. with the student in question and wish to remove them from the current school building. Two results are often seen: 1) the student's educational program is continuously disrupted; and 2) students are often "lost in the shuffle" permitting truancy and the provision of makeshift services.

Conclusion

In conclusion, it is important to stress again that some of these practices have the potential to be valuable intervention techniques for use with the behaviorally disordered student. This is the case where the practices are thoughtfully administered with the real goal of improving student behavior. When these practices are applied with the primary goal of eliminating a problem student from the school environment, then they become what has been described and what they have been called in this chapter--exclusionary practices.

CHAPTER 3

DECORUM VERSUS DISCIPLINE IN PROGRAMMING FOR BEHAVIORALLY DISORDERED STUDENTS

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Introduction

The topic of school discipline has lately come to the attention of some powerful individuals. On December 8, 1983, in a speech in Indianapolis, Indiana, President Reagan said, "We need to restore good old-fashioned discipline to the schools." His working group on school discipline is preparing a yet to be published document called Chaos in the Classroom: Enemy of American Education. News leaks indicate that the report states that discipline is the public's foremost concern about school and that, furthermore, three million secondary school children are the victims of crime each month.

Gary L. Bauer, who is the Deputy Undersecretary of Education and Chair of the working group, has, along with other Administration officials, "urged Mr. Reagan to challenge Supreme Court rulings that broadly define Constitutional rights of school children threatened with expulsion or suspension. These decisions guaranteeing 'due process of law' under the Fourteenth Amendment to the Constitution, deprive school administrators of the tools they need to control school violence (New York Times, January 8, 1984)." In this politically charged atmosphere it has become even more imperative for professionals to define the variables to be considered in the appropriate management of behavior in our schools.

We have been asked to consider the two concepts of decorum and discipline in the context of the impact they have on the larger topic of alternatives to the disciplinary exclusion of behaviorally disordered children and youth. As we proceed we will try to make sense of the decorum/discipline dichotomy. Our clear bias is that emphasizing decorum leads to positive alternatives while an emphasis on discipline may end in exclusion from school. Within that context, we will describe a number of dysfunctional approaches and the outcomes which result from them. Finally, we will consider system-wide approaches to encouraging pro-social behavior as well as a structured way one might view inappropriate behavior.

Decorum Versus Discipline

Initially it was difficult for us to separate the two words of decorum and discipline. After all, words have emotional and cognitive components that are, in large measure, shaped by one's experiences.

Both of us spent our formative years in the South. From that perspective there was a major emphasis placed on what was referred to as decorum. From the female perspective this took the form of white gloves, saccharine smiles, terror lest one chose the "wrong fork," legs crossed only at the ankles, and sparsely filled dance cards. From the male perspective more latitude was allowed yet self-discipline and manners were certainly stressed. All adults expected to be addressed as "Sir" or "Ma'am."

In turning to the dictionary we find the following formal definitions (Webster's, 1972).

> Decorum - (noun) . . . whatever is suitable or proper; propriety; good taste in behavior, speech, dress, etc., suggests conformity with conventional standards of proper or correct behavior.
>
> Discipline - (noun) . . . training that develops self-control, character, orderliness . . . (verb) . . . to subject to discipline; train; control - to punish.

One of us has a job that largely involves consulting with school personnel regarding the management of youngsters with school behavior problems. In the course of this work there is an opportunity to observe and talk with many school administrators. The following replies resulted when a non-random sample of Iowa school administrators were asked what the words decorum and discipline meant to them.

> "Decorum? That's not compatible with discipline at all, not at all in the same vein. I can't tell you what it means. I hope you're not going to ask me to define it."

> "You know principals tend to equate discipline with punishment. That's the first thing I think of, a regimented life at school. To me even discipline in the curriculum seems regimented. You know what I believe is that a happy child will learn. I want my office to be seen as a place where kids can get help solving their problems. The difficulty I have with that is that the parents all believe that when a kid gets sent to the principal's office that's a bad thing. I spend a lot of time helping kids with jackets. That's the kind of problem I can help them solve. I hope that when they have a bigger problem they'll be able to come to me. I don't want to punish anybody. Sometimes I have to. If I have to discipline a kid, I speak to him before he leaves the building that night. I make sure he knows I like him, that it's just his behavior that I didn't like. I think most kids can get the idea."

> "Well, to me decorum means taking turns, sharing, politeness. If you can get that kind of thing going you've got it licked--kids are real conformists you know."

> "Probably the best way to get teachers to manage kids the way I want them to is not at a monthly faculty meeting talking about discipline. I make it a point to talk to a couple of teachers every day after school about how things went. Right then we can problem solve difficulties they might have. Sometime in the next day or so I get back to them and find out whether what we talked about was helpful."

> "Decorum sounds like something external to me. I think discipline is more self-control."

> "Decorum? I have no idea what that means. I wouldn't touch that with a 10 foot pole."

> "I guess we spent a lot of time here working on kids' behaviors. I'd have to say I'm pretty child centered. I've been here about 10 years, and I tell you there were a few teachers I had to spend a lot of time with. There were a couple that I'd say I was real worried about. But I've been real clear about what I want and about how I want the children handled. When one of those teachers I was just telling you about had a problem with a child I handled it right in front of the teacher. At first they thought I should be harder on them. Now you know they come down and they say, 'I want you to handle this, I don't want him punished--I just want this changed'."

> "Decorum sounds like a bunch of people ready to go to a tea party. I'm a great believer in discipline. Without discipline nobody has any respect for anybody else. Discipline means self-control. That's what we try to do here with discipline policies--teach the kids how to control themselves so that they and everybody else can get an education."
>
> "I'd have to say our district doesn't have what anybody could call a set discipline policy. Certainly we have no behavior code for the children. Of course we have board policies that talk about how disputes are handled. We have due process procedures here that apply from the top to the bottom. We want to be very sure no one's rights are violated and that everyone gets a fair hearing. I'd be opposed to any sort of discipline policy. I like to think we take a clinical approach to discipline here. By that I mean I hope our staff tries to figure out what in the world is going on, whether the problem is with a whole group of students, or one individual student. I hope they try to figure out what can be making the kid behave that way. Then I believe that we have to work out a solution that considers the needs of the people involved. For a group of kids that may mean that some individual kids don't get what they want so that the school can function. For an individual kid we have to help him fit into the broad system. He may not be ready to act like a seventh grader. But his behavior has to be some sort of acceptable kind. Maybe about what you'd expect from a fourth grader. In any case, he wouldn't be violating anybody else's rights and he'd be making some sort of progress. I really believe you have to be individual when you think about discipline."
>
> "Discipline? Are you talking about a noun or a verb?"

Obviously, the words decorum and discipline have a variety of meanings for this group of administrators. The word decorum was seen as vague but not primarily negative. Some administrators spoke glowingly of the need for discipline--particularly self-discipline--while others perceived negative connotations.

For the purpose of this paper, we will define decorum as planned predictable orderliness. This implies that decorum is proactive. Decorous behavior is behavior that has utility. Part of the attractiveness of the idea of decorum is its predictability--the idea that if one behaves in a certain way, something expected will happen. At an individual level we might consider this to be one reason for politeness. There are basic conventions which govern interactions between people. For example, if one wants to use something that another is using, he or she has learned that asking to use it politely, "May I play with the football now?" is more likely to gain the football and incidentally maintain a good relationship with the other, than if one simply grabs for the ball. As anyone who has watched a group of preschoolers at play knows, these conventions must be learned.

In addition to the positives which accrue from politeness and consideration, decorum implies that expectations for individuals are clear. Whether we address the actions of an entire school system, an individual school building, a classroom group, or an individual child or teacher, there are basic standards of agreed upon behavior which are useful in advancing the mission of the organization.

Is decorum an external? Is it something that is imposed on an individual? Is there insincerity in decorous behavior? These questions remind us of a very common concern and/or complaint from teachers with whom we work. With a lot of work on the teacher's part, a child changes from one who is generally rude, aggressive, and disruptive into one who usually follows the rules and meets the teacher's stated expectations. Often at this point the teacher acknowledges that this behavior is better, but what about his attitude? Sometimes we interpret this question to mean "I have a gut feeling that he's still the little savage he was a month ago." Teachers need reassurance that if they help disruptive, unhappy youngsters to behave in people-pleasing ways, with the passage of time and positive responses to the new behavior, the new behavior will become internalized. We, in fact, cannot see into the child's motivation and internal construct, but can only see the external result as he acts upon those internal forces.

It seems to us that decorous behavior has its own "ripple effect" (Kounin, 1970). When Student A behaves in a considerate, polite, predictable manner toward Student B, Student B just naturally is more likely to respond positively. This reinforces Student A, who is more likely to increase the rate of positive behavior (as well as providing a model for Student B).

The concept of a planned, proactive, predictable system implies that steps are taken ahead of time so that behavior problems do not develop. This sort of proactive planning needs to be carried out on a system, building, and classroom level. The idea that decorous behavior is behavior that has utility implies that there will not be rules for rules' sake. The rules will facilitate positive interactions between individuals and groups of individuals. The idea that decorous behavior is agreed upon implies that a system can be responsive to the needs of individuals and can individualize behavioral expectations given the general parameters of orderliness and consideration. Probably at its most basic level, if we consider decorum as planned, predictable orderliness, decorum allows the system to function. The system's essential mission can proceed.

What then about discipline? For the purpose of this paper we will consider it reactive. We will consider discipline as something that takes place after a problem has been identified. We will consider that discipline's predominant synonym is punishment and that discipline appears to be seen by many as negative and a word with punishing connotations.

There is sufficient research information to indicate that youngsters who experience what they believe is harsh, unfair discipline, tend to become alienated from the disciplining system. It becomes a "me" or an "us" versus "them" phenomenon where, in essence, one side finds the other to be lacking and rather than try to help shore up the weakness, applies a penalty. One of the most extreme examples of this is the way some school disciplinary policies deal with a child who has attendance problems. With succeeding unexcused absences the child moves through an ever increasing number of detentions, in-school suspensions, out-of-school suspensions, and eventually court appearances. The idea of barring a truant from school for not attending seems inconsistent to say the least.

The truant is penalized, make no mistake. He or she may on some level enjoy being out of school, but is all the while falling farther and farther behind academically. Attached to an out-of-school suspension in many systems is the regulation that work and tests may not be made up. If and when the child returns to school he or she may have no prayer of receiving any credit.

It is our belief that people who apply such systems are generally thoughtful, humane human beings in most of their interactions with others. Unhappily they may be working under constraints and frustrations that leave them feeling as if they have no choice but to enforce such alternatives.

Prior to a consideration of ways to create conditions that may obviate the need for discipline as punishment, it may be helpful to review the results of systems that are not working in the best interest of students, teachers or administration. What follows are examples of our perceptions of when the decorum/discipline balance has become dysfunctional.

Dysfunctional Approaches and Outcomes

While a dysfunction has been defined as "disordered or impaired functioning of a bodily system or organ" (American Heritage, 1970) an analogy can be drawn with systems such as schools when the system is no longer functioning as it should. Brendtro and Mitchell (1983) describe the outcome of a dysfunctional organization serving youth. They note:

> Dysfunctional educational and treatment organizations are marked by negative youth subcultures. Such climates increase the level of aggressive or avoidance behavior among young people. Thus one encounters a great deal of internal ranking among young people, scapegoating of weaker members by dominant peers, fighting, stealing from one another, name-calling and similar signs of peer conflict. Sometimes the aggression is directed at staff, either through overt defiance and rebellion or through more passive-aggressive resistance and sabotage of the program. Many troubled youngsters respond to the tensions of the dysfunctional organizations by flight rather than fight; absenteeism, truancy from schools or institutions, and dropping out are all examples of this reaction (p. 99).

Brendtro and Mitchell also describe characteristics of dysfunctional organizations. These include:

> Depersonalization - Bonds between members of the organization are less meaningful; individuals do not feel that they matter, and there is a corresponding lack of commitment to the organizational mission.
>
> Stagnation - A move over time toward entropy, a state of decline or decay: often reflected in decline of physical facilities.
>
> Youth in Conflict - Negative youth subcultures including aggression and nonattendance.
>
> Ineffective Communication - Blocked, disruptive, erratic, or absent communication between various employee groups.

There are several ways that dysfunctional outcomes may originate. Some of these are discussed below.

Big Bang Outcome

The big bang theory as articulated by McCauley (1980) delineates the system in which crises are common among students and seem to require major interventions on the part of administration. When this outcome is seen we find a heavy dependence on such severe measures as out-of-school suspensions for a large number of students. This outcome often implies that the system lacks intermediate steps in dealing with inappropriate behavior. In such a system minor student infractions are not necessarily dealt with and cumulative minor incidents may lead to the need for major interventions. As an alternative to this we need to conceptualize behavioral learning in the school environment similar to the way we approach academic learning. For example, Starlin (1982) has described one approach to teaching reading and writing as using "slicing" approaches. He describes this as:

> . . . giving students curriculum with more or different concepts if they are proficient on a level, and curriculum with fewer concepts if they are frustrated on a level (p. 7).

If we can "slice" our expectations regarding behavioral performance, consequent social skills training interventions, and consequences for inappropriate behavior perhaps we can successfully avoid the need for "Big Bang" interventions.

Taxation Without Representation Outcome

Another sign of a dysfunctional system is the situation that arises when students have little or no input into the system structure in their school. While it certainly does not make sense to these authors and, we suspect, to most readers to turn over all decision making to students in a Summerhill-type structure, it does seem appropriate for students to have and feel that they have some input into the structure. In addition, it seems reasonable that students should be able to explain the rationale for why rules and expectations are required in the school setting. Contrary to the assumption often made, most students do want a structure that allows learning to take place. They realize, that without this, chaos would most likely occur. But, at the same time, students want to know why certain rules are needed. Furthermore, they want to know the process to follow in changing rules that appear to be unneeded or unfair. Don't we all want the same situation in our working conditions?

They Say the Right Things, But . . .

We have all been educated to such an extent that we tend to know the educationally correct way to express ourselves. Most of us had to learn the right words to get out of undergraduate or graduate school. One sign of a dysfunctional system is when the words spoken by those in charge just do not match with what seems to be going on in the school system.

Gregory Bateson described the "double-bind theory" of pathological relationships. Generally, this was used to describe the situation within a family structure where the words spoken just do not match the actions taken by members. Such mixed messages tend to create confusion, anxiety and, at the extreme level, pathology. It would seem that the same situation could occur within our schools.

For example, if the slogan for a particular school is "Students are our number one concern" yet the actions carried out by teachers and administrators are consistently in conflict with such a slogan then problems are certain to occur. Students are left with the haunting anxiety of not knowing who to believe. The words of adults may be questioned in interactions throughout the school structure.

Learning Variety Will Answer All

One of these authors accepted a position several years ago as a resource teacher to deal with students with behavior disorders in a junior high located in rural Iowa. The primary problem cited was the number of students with behavior disorders needing services. The author set about analyzing these problem students. One of the factors that quickly became apparent was that many of the students who were behavior problems also had significant learning problems. Furthermore, it was discovered that the lack of flexibility in academic programming certainly irritated the behavioral difficulties. Thus, this author began working on behavioral problems through modifying the academic curriculum. And these changes did make a difference with many of the problem behaviors, many, but not most or all.

Our purpose for sharing this story is to illustrate the tendency we all have to look for simple solutions to complex problems. In this example, changes in the academic program were viewed as the answer to all problems. Another characteristic of dysfunctional systems is the tendency to look for the answer rather than realizing that problems such as school discipline are complex problems requiring consistent attention over an extended period of time. As Brendtro and Ness (1983) note:

> Another plague on practice in America has been the tendency to become enraptured with the latest treatment or educational fad. Searching for magical answers only to be disappointed, the practitioner discards yesterday's fashion as soon as a replacement arrives on the scene. In this "disposable" culture of plastic and paper, we have not yet achieved a lasting and substantive approach to the treatment of troubled youth. When some technique has a modicum of success in a particular situation, it becomes a panacea and is extended to new domains where it is much less appropriate (Morse, 1979).

Ol' Oaken Bucket Theory

The schools, as a reflection of society generally, are certainly more complex today than earlier years. The structure of what a school program consists of is defined with many more variations today. This is true of both academic and behavioral programming.

As we encounter more problems in behavioral management this may lead some to speculate that problems would be solved if we could return to earlier times. This is at the foundation of much of the "back to basics" discussion we hear today.

While it may be difficult to argue with the notion that students need to acquire basic skills in the academic areas, such a generalization to nonacademic areas is fraught with difficulties. These authors are also concerned with the assertions of some educators that what we need is to "get tough" with inappropriate behavior. Such toughness may imply the use of physical force with students. As Goldstein, Apter and Harootunian (1984) point out:

> . . . do we not often use physical punishment on those children who are least likely to benefit and most likely to learn the wrong lesson: that if you are bigger, force is an appropriate intervention to get what you want? Is the public perception of the need for "old-fashioned discipline" not the major factor in the continued acceptance of a situation that frequently leads to the violence? The line between corporal punishment and physical abuse is very easily transgressed. Should children not have the same protections against transgressions as do incarcerated criminals in prisons (p. 229)?

The remainder of this paper will be devoted to the notion that under certain conditions the need for discipline as punishment will be obviated. These conditions include our ability to design the school environment in such a way as to: (a) make the environment predictable, (b) provide a system for teaching appropriate behavior, and (c) build a means of helping students with behavioral deficits by addressing such deficits at an appropriate behavioral developmental level.

System-Wide Approaches for Teaching Prosocial Behaviors

We view the establishment of decorous, orderly behavior as one way to avoid proceeding along the path toward disciplinary exclusion. We see such exclusion as largely resulting from an emphasis on reactive management. Essential to our viewpoint is a sense of direction and vision that sees the teaching of prosocial behaviors as a major goal of the American educational process. We wish to consider a system for teaching student behaviors that engages staff and students in an interactive system which encourages prosocial, increasingly independent, and self-enhancing behaviors.

What might be the characteristics of such a system? We propose that at a minimum the system should:

a. Meet students' and staff basic human needs. Abraham Maslow (1968) proposed a hierarchy of human needs. He hypothesized that before one can deal with such relatively high order issues as self-respect and self-actualization, basic physiological needs of the organism for safety and security must be met.

b. Be based on social learning theories. This implies that a proactive system can adjust to students' various developmental levels. We do not expect all 9th graders to succeed at algebra. Rather we consider each student's experiences and skills in mathematics and provide a range of acceptable alternatives each of which suits an individual's developmental arithmetic level and allows each student to engage in, succeed at, and--importantly--progress in the subject. Why not view behavioral skills in a similar manner?

c. Model desired behavior. Ponder what values the system itself actually teaches. One way of thinking about this might be to look at how the system responds to inappropriate behavior in terms of a model such as Lawrence Kohlberg's Stages of Moral Development (Kohlberg, 1976). We agree with Vernon Jones (1980) that "rather than involving students in a dialogue designed to develop higher levels of moral thought, schools too often tend to operate on a combination of fear of punishment (Stage 1) and law and order authoritarianism (Stage 4)."

d. Be responsive to the needs of the school as a whole as well as meeting the needs of individuals.

e. View behavior problems as skills deficits, and/or failures of the prevention system. The system should place a higher priority on preventing such problems than on gearing up to deal with them once they occur.

f. Be committed to the ideal of public education as appropriate for all children. Lately the question of whether there are some children whose behavior is so outrageous that we as educators cannot deal with them seems to be increasingly prevalent. Certainly we are not so naive as to believe that all behaviorally disordered children belong in the mainstream of the public schools. We do believe that if the child cannot be served in the mainstream, provisions must be made to provide the child with the skills he lacks so that he may function in society. The practice of dismissing troubled youngsters from school to the streets invokes dark forebodings of the future for our cities and towns.

g. Satisfy Constitutional requirements. One of the troubling messages in President Reagan's reactive emphasis to a report on school violence developed in the early to mid 1970's (Boesel, et al., 1978) is in this area. As stated earlier,

> Mr. Reagan's Deputy Undersecretary of Education, Gary Bauer "urged Mr. Reagan to challenge Supreme Court rulings that broadly define Constitutional rights of school children threatened with expulsion or suspension." Mr. Bauer went on to say that "these decisions guaranteeing 'due process of law' under the Fourteenth Amendment to the Constitution, deprive school administrators of the tools they need to control school violence (New York Times, January 8, 1984)."

Leadership and School Ethos

While it may be risky to single out any one individual as potentially more influential in establishing a school atmosphere that facilitates learning and decorum, we cannot resist emphasizing the leadership potential in the role of the school principal. Burrello and Sage (1979) stated:

> . . . the terms leader and administrator are relative. The administrator is not altogether passive in maintaining the status quo, nor is the leader necessarily dominant in initiating radical changes in the existing order. The leader is clearly distinguished from the administrator since he/she is establishing new goals, structures, processes, and procedures rather than implementing the current set of goals and the activities within the current structure (p. 8).

Ethos is defined as the distinguishing character, sentiment, moral nature or guiding beliefs held by a person, group or institution (Webster's, 1972). It is hard to underestimate the effect of the principal in establishing a general climate or school ethos. The principal can, by his/her leadership, encourage the formation of group standards that institute and reinforce decorous behavior. Group influences are powerful. There is a strong tendency for most individuals to go along with the group or to experience considerable anxiety with a departure from group norms.

Rutter, Maughan, Mortimore and Ouston (1979) cite evidence that clear, consistent, mutually agreed upon standards whether applied to rules governing behavior or to academic expectations are associated with developing a positive school ethos. Interestingly, consistency with rules and expectations as applied was more important than the actual rules or expectations themselves.

While it was important to get teacher input and to assure teachers that their feelings were important, Rutter's work focused on clear, open decision making and leadership from the senior staff which provide a sense of direction. Of real encouragement to all of us, as advocates for services for behaviorally disordered youth, was the statement, "uniformity of behavior is unnecessary, indeed the greater the group agreement on crucial issues, the greater the tolerance which is possible for individuality and idiosyncracy on other matters" (p. 194).

The importance of proactive planning is stressed in the report The Safe Study Report to the Congress (Boesel, et al., 1978). The principal plays a vital role in such planning. This study concluded that the principal's style of leadership and his/her initiation of a system of structured order were important variables in differentiating safe from unsafe schools. Within the safe and effective school the principal was described as visible and available to students and staff. The system was uniformly described by respondents as "firm, fair, and consistent." The same descriptors applied to the rules which communicated the standards and expectations to the students. Respondents most commonly cited the principal's leadership when being asked to cite the single most important factor responsible for turning around formerly troubled schools. Additionally cited was an emphasis on preventing problems and on supporting the academic and educational structure with the rules. Schools which continued to have problems tended to have policies which had been developed in reaction to specific incidents and primarily addressed disciplinary rather than educational needs. Thus, we see that a principal with a clear, proactive conceptualization of what constitutes appropriate decorum for a school is more likely to set a structure for his/her building that will, in some cases, prevent the use of discipline for punishment and in other cases use disciplinary measures in an effective, behavior changing way.

System-wide Approach for Dealing with Inappropriate Behavior

Similar to teaching prosocial behaviors, approaches for dealing with inappropriate behavior should be dealt with on a systems basis. The particular system to be focused on is the school building. As Rutter, et al. (1979) have pointed out, there is much that can be done at the building level to promote positive academic gains and a high level of positive behavior on the part of students. This approach emphasizes the need to recognize the social system of our schools. As Rutter, et al. (1979) state:

> A variety of studies in both Britain and the United States have clearly indicated that the main source of variations between schools in their effects on the children does not lie in factors such as buildings or resources. Rather, the crucial differences seem to concern aspects of school life to do with its functioning as a social organization (pp. 20-21).

Such an approach should lead to optimism on our part as educators. It sets the scene for educational structural modification which we can make to improve student decorum. How much better it is to realize that we, as teachers and administrators, can make such changes rather than having to turn to outside experts to solve our problems. It also points out that the most important changes we may need to make are not tied to bricks, mortar, or other financial resources. Under current economic conditions this would certainly seem to be an important matter.

A final note of optimism that emerges from the Rutter work is that the crucial differences between "good" and "bad" schools are not necessarily explained by looking at the characteristics of the students entering the schools. They conclude:

> Our finding that secondary schools varied greatly with respect to rates of examination success, attendance, misbehavior, and delinquency is entirely in keeping with the evidence from other research. However, our investigation has taken matters a stage further by showing that these differences were not explicable in terms of the children's characteristics prior to secondary transfer. Rather, they stemmed from experiences during the secondary school years (1979).

But what are the factors we believe are critical in dealing with inappropriate behaviors? What approaches lead to an atmosphere of decorum?

School Philosophy

First, it is vital that a school define philosophy regarding inappropriate behavior. At the source of this philosophy should be the rationale as to why such inappropriate behaviors cannot be tolerated in the school setting. Perhaps at the base of the philosophy is the concept of respect for the rights of others. Closely aligned with this is the need to define the simultaneous goals of personal freedom and collective responsibility. And, as we have all learned (in some cases the hard way!), the adults in such a setting have to take the lead in defining such parameters. We need to keep in mind our authority role as described by Morse (1981):

> Authority is quite another thing from authoritarianism. It is interactive. It is respectful. It is flexible. It is empathic. It is based upon an external reality and set of values which are beyond the individual. The goal is to solve a social problem, to develop an acceptable social and intrapersonal process. In the absence of adult wisdom one regresses to role authoritarianism. Intrinsic authority rests upon the integrity of the adult and the adult's experience which allows penetration into the adolescent's mode of thinking as well as the predictable knowledge of the significance of given behaviors. What saps this type of authority? Defending nonsense, trying to get adolescents to accept institutional demands which are not reasonable or valid, ignoring the environmental conditions which need modification, not speaking out about unfairness, and not understanding the dilemma of the adolescent well enough to be able to explain what is going on, all weakens intrinsic authority. There is more modeling and identification than demanding and punishing in the application of intrinsic authority (p. 9).

Problem Specification

Within our philosophy it is important to accept multiple causes for misbehavior and tailor our long-term responses on the basis of the potential reasons behind such behavior. Table 1 presents one way of diagnosing problems in unacceptable behavior within the school setting. This chart is organized around the concepts of determining the source of the problem, how to detect this and the differential intervention implications.

There seem to be two circumstances which define when the locus of the problem rests with the students themselves. This would imply that misbehavior is not system-wide and can be traced to individual students. When this is possible, the primary diagnostic challenge is to determine whether the students in question are aware of the behavior which is unacceptable to the school setting. If they are not, then it would seem reasonable to turn toward skill training programs aimed at teaching the necessary skills. If the student is aware then it is reasonable to consistently apply the previously agreed upon consequences applied to the behaviors of concern.

TABLE 1

DIAGNOSING DYNAMICS OF UNACCEPTABLE BEHAVIOR

Locus of Problem	Means of Detecting	Intervention Implications
Student		
a. Unaware	Observation, interview	Need for training
b. Aware	Observation, interview	Consistent standards
System		
a. Misunderstandings	System-wide problems	Inservice on standards
b. "Individual" agenda	Specific to adults	Individual work with adults

At the system level there also appears to be two possible explanations. On the one hand there may be a general misunderstanding among the adults expected to intervene in cases of misbehavior as to what actually constitutes misbehavior. In this case there is a need to further define, as a group, what are acceptable and unacceptable behaviors. In the second example there may be certain adults who seem to be overdetecting or underdetecting cases of misbehavior. In this case it seems reasonable to examine whether there are any adult characteristics that seem to be leading to this high (low) frequency or whether the designated adult has established standards higher (lower) than those held by his/her peers.

Interventions

Perhaps the most important concept related to interventions for misbehavior is institutional flexibility. This does not mean a lack of specificity regarding what will be done under given circumstances. It does mean the flexibility of appropriately matching the seriousness of the intervention to the seriousness of the misbehavior and deciding whether the intervention needs to be child specific, system-wide or adult specific. It is also based on the concept of early intervention.

Rezmierski (1984) notes the need to define our interventions on the basis of student needs at the time of intervention rather than what has been successful in the past. This leads to an individual prescriptive model for intervention. This approach also questions the wisdom of many structured programs applied across entire school populations in a rigid manner.

We are in favor of early intervention. There appear to be several empirical foundations to support this approach.

First, if we don't intervene at an early stage we risk the chance of "ripple effect" (Kounin, 1970). Briefly, this principle implies that if we fail to intervene with particular acts of misbehavior, we risk the same behaviors being exhibited by peers who passively observe the original behavioral transgression. Thus, instead of dealing with an individual misbehavior we soon face collective misbehavior.

Another important consideration in advocating for early intervention is that some researchers advocate that behavioral patterns may form a chain (Frankel, 1975). Frankel states:

> If a chain could be interrupted at the beginning, just as it is starting, then the client would have the greatest chance to choose an alternative way of behaving, since once the chain gets rolling, the probability of completing it greatly increases (pp. 255-256).

In the school setting such "chains" may consist of a behavioral repertoire beginning with minor infractions leading up to larger infractions. For example, in McCauley's (1980) articulation of the "big bang" outcome mentioned earlier, he states:

> A child engages in a series of nefarious actions. Somehow that string of misbehaviors is coped with by the school or community. Then - BANG - the youngster does something that brings so much attention that all behaviors are considered as instances of disordered behavior. Time after time in our identification and referral process, we hear professionals relying on THE major behavior incident as the coup de grace in making a decision about placing a youngster . . . (p. 6).

Rather than waiting for a major incident that requires the major intervention we propose that schools explore and define as many intermediate steps as possible. These steps can be defined by the parameters of seriousness of offense, persons needed to implement, time and resources required to implement and the degree to which the intervention interferes with the ongoing education of the youngster involved.

As Rubinstein and Rezmierksi (1983) state, we need also to be sensitive to the dynamics behind system responses to threatening behavior. They state:

> . . . systems make big responses. Decisions that are made at the system level affect large numbers of students. They have the power either of supporting emotional, social, and cognitive growth, or of seriously thwarting it. How decisions are made relative to different types of students' needs as opposed to adult needs, should provide important insights into how effectively the system is meeting its responsibility to students (p. 60).

The focus in this section has been on system-wide responses to inappropriate behavior. Persons responsible for designing and maintaining systems need to assure that such systems meet both individual and collective needs. When that is the case, then decorum has become a primary concern and discipline a secondary one.

Conclusions

Our purpose in this paper has been to consider the two concepts of decorum and discipline. It has also been to encourage a positive, proactive, prosocial approach which will facilitate the mission of our educational system, in order that the system may deal most effectively with all of its components, including appropriate services to the behaviorally disordered.

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CHAPTER 4

UTILIZING THE IEP: FLORIDA'S ANSWER TO THE EXCLUSION OF BEHAVIORALLY DISORDERED STUDENTS

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Background

For many years, educators of exceptional children and youth have recognized the importance of the individualized education program (IEP). Long before the passage of Public Law (P.L.) 94-142, the Education for All Handicapped Children Act, the concept of individual plans for exceptional students was embraced by many state and local school districts across the nation. P.L. 94-142, with its implementing rules and regulations, now requires the development, implementation, and review of an IEP for each handicapped student. Despite these mandates, questions still arise related to either the content of the IEP or the procedures by which it is to be developed. One such question concerning the discipline methods to be utilized with handicapped (particularly behaviorally disordered) children and youth is generating a great deal of interest and attention at the state and local level. This chapter presents one effort to utilize the IEP to resolve this question.

A Court Decision and Its Impact

In the early part of the 1977-78 school year, nine handicapped students were expelled from Clewiston High School in Hendry County, Florida, for alleged misconduct. The students were classified as educable mentally retarded or mildly retarded and the misconduct on which the expulsions were based included masturbation, other sexual acts, willful defiance of authority, insubordination, vandalism, and the use of profane language. Each of the students was expelled for the remainder of the 1977-78 school year and for the entire 1978-79 school year, the maximum time permitted by Florida law. One of the students (S-1) requested a hearing to determine whether the misconduct was a manifestation of his handicap. The decision of the superintendent of Hendry County Schools was that because S-1 was not seriously emotionally disturbed, his misconduct could not be a manifestation of his handicap. The other students did not request, and were not given, hearings. Two of the students, S-7 and S-9, later requested due process hearings and those requests were denied.

A case was initiated in the District Court of the Southern District of Florida, alleging violations of the students' rights under the Education for All Handicapped Children Act (EHA) and Section 504 of the Rehabilitation Act of 1973. The court found that the expelled students were denied the right to a free and appropriate public education. In addition, the court decided that no handicapped students could be expelled for misconduct related to the handicap, and, that in the case of S-2, S-3, S-4, S-5, S-6, and S-8, no determination was ever made of the relationships between their handicaps and their behavioral problems. Further, the court ruled that in the case of S-1 the superintendent's determination was insufficient; only a trained and knowledgeable group could make this decision and the school board officials lacked the necessary expertise to make such a decision. The court also found that although S-7 and S-9 had voluntarily withdrawn from school, they were still entitled to due process hearings. Finally, the court found that the plaintiffs had suffered irreparable harm by the loss of two years of education and entered an injunction compelling state and local officials to provide the plaintiffs with the educational services and procedural rights required by federal law and implementing rules and regulations.

The defendants (Turlington, et al.) attacked the trial court's entry of a preliminary injunction as an abuse of discretion and appealed to the

United States Court of Appeals, Fifth Circuit, Unit B. On January 26, 1981, the United States Court of Appeals affirmed the earlier decision by the District Court. In making this decision, the court held that:

1. Before a handicapped student can be expelled, a trained and knowledgeable group of persons must determine whether the student's misconduct bears a relationship to his handicapping condition.
2. The determination that a handicapped student knows the difference between right and wrong is not tantamount to determination that his misconduct was or was not a manifestation of his handicap. Further, determination that students are not seriously emotionally disturbed is not acceptable as determination that misconduct was not a symptom of handicap.
3. An expulsion is a change in educational placement which invokes the procedural protections of the Education For All Handicapped Children Act and Section 504 of the Rehabilitation Act.
4. Expulsion is a proper tool under EHA and Section 504. but a complete cessation of educational services is not.
5. The EHA requirement that parents have an opportunity for due process hearing makes no exception for handicapped students who voluntarily withdraw from school or previously agree to an educational placement.
6. The State Educational Agency (SEA) is responsible for ensuring implementation of EHA and expulsion proceedings may deny benefits of EHA to children entitled to education under the Act.

To give direction to local school districts in complying with the decision issued by the United Court of Appeals, the Florida State Board of Education adopted revisions to the State Board of Education Rules dealing with the discipline of handicapped students. State Board of Education Rule (SBER) 6A-6.331(2) requires that:

1. A staffing committee utilizing the process of reviewing diagnostic, evaluation, educational or social data shall recommend the student's educational placement.
2. A minimum of three professional personnel, one of whom shall be the district administrator of exceptional students or designee, shall meet as an eligibility and placement staffing committee. Additional personnel may be involved

in the eligibility and placement recommendation by providing information or by attending staffing meetings.

As a result of the rule revisions, local school districts were required to develop written policies and procedures regarding the discipline of handicapped students as well as procedures for informing a handicapped student's parent or guardian of these policies. These written policies and procedures must then be included in each county's District Procedures for Providing Programs for Exceptional Students which are submitted each year to the State Board of Education Division of Public Schools for review and approval. The policies and procedures established by each school district must:

1. Address instances in which handicapped students engage in behavior that, under normal circumstances, could warrant expulsion action;
2. Require that a staffing committee meet to determine whether a student's misconduct bears a relationship to his handicap;
3. Specify that the membership of the staffing committee complies with the requirements of SBER 6A-6.331(2);
4. Ensure that any change in educational placement does not result in a complete cessation of educational services;
5. Ensure that approved policies and procedures for conducting IEP meetings and providing procedural safeguards to parents and guardians of handicapped students apply to the staffing and change of placement provisions consistent with SBER 6A-6.331(3);
6. Ensure that the handicapped student's parent or guardian is informed of these policies and procedures (Bureau of Education for Exceptional Students, 1983).

Thus, attempts to implement the court's decision resulted in changes in Florida State Board of Education rules and in steps taken by the Bureau of Education for Exceptional Students to provide assistance to local school districts in the development of policies and procedures for the discipline of handicapped students. While it should be understood that S-1 v. Turlington was a Florida case and only Florida state officials are required to enforce all provisions of the order, the reasoning used in S-1 v. Turlington has been found persuasive by many courts since that time. It, thus, has had an impact on the policies of many states. Further, in states where its reasoning has not yet been applied, it can be reasonably expected that any future cases will rely heavily on its precedents.

The Individualized Education Program - General and Disciplinary Issues

According to the rules and regulations of P.L. 94-142, each public agency is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising a handicapped child's individualized education program. Each IEP must include statements as to the student's present level of educational performance, annual goals and short term instructional objectives; special education and related services to be provided; the extent to which the student will participate in the regular education program; when services will begin and their anticipated duration; objective criteria for evaluating whether instructional objectives are being met; and a schedule for evaluation on at least an annual basis (Federal Register, August 23, 1977). The extent to which each of these items will be addressed is, however, not specified by federal law or regulations and may vary considerably from one school district to another. The format, length, and detail of the IEP are left to the discretion of state and local agencies. While the responsibility for the development and implementation of a student's IEP rests with the state education agency, each school district within a given state may in fact utilize a different form. In some districts, the IEP may be developed in two phases, with annual goals included in the first phase, and short term instructional objectives written after the student's placement.

Since federal requirements may be met by a one to three page form, many IEPs upon which important decisions concerning a handicapped student's placement and educational program are often only rudimentary in nature. The point here is that many problems and questions concerning the discipline of behaviorally disordered children and youth could be avoided by improving the general IEP quality. Often, a more carefully planned and appropriately written IEP will obviate the need for extraordinary measures relative to the discipline issues involved for behaviorally disordered children and youth.

Development of the IEP

As outlined by Wood (1931) the steps to be followed in the development and implementation of the IEP are: (a) information identification and referral, including parent contact; (b) referral review by a school person other than the referring teacher; (c) formal educational assessment following parent approval; (d) development of a statement of educational alternatives; (e) meeting with parents to develop the IEP; (f) approval of the IEP by parents; (g) implementation of the IEP; (h) periodic review of the IEP by parents and school personnel with possible reassessment and modification.

The IEP of any handicapped student should address those areas of functioning in which the individual will need special education and/or related services. It is, therefore, critical that, at every step during the development of the IEP for a behaviorally disordered student, due consideration be given to his/her social and emotional characteristics and needs.

Referral, Screening, and Assessment

Close adherence to appropriate screening and assessment procedures will ensure that the problems exhibited by the behaviorally disordered student will be defined and described in the IEP and that strategies for dealing with these behavioral problems will be included in the statements of goals and objectives. Federal rules and regulations require that tests and other evaluation materials utilized during the assessment process must include those tailored to assess specific areas of educational need. While many of these students score below the normal range on standardized tests of intelligence or achievement, it is generally their maladaptive social behavior that leads to referral and subsequent identification as behaviorally disordered. Simpson (1981) has suggested procedures that constitute an effective screening for behaviorally disordered students should include: (a) an interview with the parent or legal guardian; (b) the completion of at least one rating scale; (c) direct classroom observation which yields objective empirical data; (d) peer evaluation; and (e) self-evaluation.

Inclusion of Disciplinary Procedures in the IEP

In an earlier document which addressed the disciplinary exclusion of behaviorally disordered students from public school programs, one of the issues cited as still controversial was whether the individualized education program should normally include disciplinary procedures (Grosenick & Huntze, 1981). While some court decisions have included directions to school districts to include specific goals, objectives, placements, or related services in an individual student's IEP the issue of specificity has not been resolved at the federal level.

The Florida State Department of Education (DOE) has recommended that each school district develop written procedures to accomplish the following:

> (a) The IEP for a handicapped student should reflect behavior problems which are related to the handicapping condition together with goals and objectives for dealing with those behaviors; and
>
> (b) If the procedures included in the IEP do not result in an improvement in the behaviors described, an IEP review should be conducted for the purpose of evaluating the student's program (Wells, 1981).

Review of the IEP

In the event that a handicapped student should exhibit problem behavior that might normally result in expulsion, the IEP should be reviewed to determine if the behavior in question has been addressed in the annual goals or short term objectives. If the particular behavior has been specified as one of the factors leading to placement of the student in the special education program, there would be no doubt that this behavior is related to the handicapping condition. It is particularly important to note that many maladaptive behaviors associated with the condition of behavioral disorder are precisely those behaviors that might usually lead to expulsion or suspension from public school programs. Information derived from rating scales or classroom observations may prove to be extremely valuable in this regard. If the misconduct has already been addressed in the IEP, recommendations may have been included as to appropriate discipline strategies to use or to avoid in dealing with the student.

To comply with federal regulations, a meeting must be held at least once a year for the purpose of reviewing the IEP and to revise its provisions if appropriate. It is obvious, however, that many discipline problems could be prevented if there would be coordinated, continuous evaluation of the progress of the handicapped student. If the annual goals, short term objectives, and the placement are appropriate for the student, there generally is improvement. If there is not improvement, the IEP committee has an obligation to change the educational program.

Parent Involvement in IEP Review

All of the procedural safeguards which are normally available to parents are also available under the circumstances of possible exclusion of the handicapped student from school. These safeguards include, but are not limited to, informed notice, informed consent if a change in placement is recommended, the right to refuse consent, the right to participate in decisions regarding the education program, and the right to request an impartial due process hearing regarding these matters (State of Florida, DOE, 1981). If the parent should disagree with a proposed change in the educational program and a due process hearing is initiated, the student must be allowed to continue to attend the program in which he/she has been placed while any administrative or judicial proceeding regarding a complaint is pending. If suspension occurs during this period, the student must be allowed to return to the same program following the termination of the suspension period.

During both the development of the IEP and the IEP review, parents should be given the opportunity to discuss the types of intervention that they feel have been effective with the student. They should also express their opinions concerning behavioral management techniques that are utilized in the various educational settings in which the student may be placed. The particular issues that should be explained to, or negotiated with, the parents or guardians include (a) the use of tangible rewards, (b) the use of corporal punishment, other aversive techniques, time-out, or isolation rooms, and (c) school or district policy concerning the management of a student who is uncontrollable or is considered to be a danger to himself/herself or others. In some districts, the IEP includes a form on which the parent may indicate written approval or disapproval of the use of various behavior management techniques. The parents should also be encouraged to request parent counseling or training if either seem to be necessary or desirable in dealing with the special needs of the student.

Service Delivery Options

According to federal law, a full continuum of alternative placements must be available to handicapped students, to include: regular class; regular class with supplementary services, such as resource room or itinerant instruction; special class; special schools; home instruction; and instruction in hospitals and institutions. If the behaviorally disordered student is exhibiting problem behavior in one setting that might normally result in suspension, the staffing committee may determine that placement in a more restrictive environment would be appropriate.

The Least Restrictive Environment

Federal law provides for placement of a handicapped student in the environment that is as close to regular education as is feasible for the student, in which his/her educational needs can be met. The purpose of placement in a more restrictive environment should, therefore, be to bring more services to bear upon the student's educational deficits and not merely to protect the normal population from the problem student. Although least restrictive environment and regular class are not synonymous, after the implementation of this mandate, many behaviorally disordered students who had previously been placed in segregated settings were reassigned to regular classes for at least part of the school day. It is, however, generally recognized that behavior problems may result from, or be exacerbated by, the student's inability to cope in an environment in which he/she cannot achieve success. Further, according to an analysis of the federal regulations, with respect to proper placements, if a handicapped child's behavior is so disruptive in a regular classroom that the education of other students is significantly impaired, regular class placement is not considered to be appropriate to that child's needs. Selection of regular classes into which the behaviorally disordered student would be integrated should, therefore, be made very carefully, with full consideration given to the social and emotional as well as the cognitive demands of that setting.

Expulsion of Handicapped Students In Florida

Expulsion, according to Florida statues, is the removal of the right and obligation of a student to attend a public school under conditions set by the school, and for a period of time not to exceed the remainder of the term or school year and one additional year of attendance. A principal or his/her designated representative may recommend to the superintendent the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school. The recommendation must include a detailed report by the principal or his/her representative of the alternative measures taken prior to the recommendation of expulsion. The superintendent reviews and modifies such recommendations and transmits them to the school board for action. Written notice of a recommendation of expulsion must be given to the pupil and his/her parents or guardian, setting forth the charges against the pupil and his/her right to due process.

Following the approved procedures, Florida school and district personnel may seek to remove an exceptional student from participation in some part of the educational program provided by the district. The district may not, however, remove all of a handicapped student's rights to an education for more than ten days. Such a removal is interpreted as a complete cessation of educational services and is in violation of the student's right to a free, appropriate public education.

The rules and regulations of P.L. 94-142 require that placement decisions will be made by "a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options . . . " (Federal Register, 1977, p. 42497). Since expulsion of handicapped students, according to judicial decisions, constitutes a change in placement, the decision to exclude a handicapped student from school must be made by such a group of knowledgeable persons.

Relationship of Misconduct to the Handicapping Condition

In most of the landmark cases that have successfully challenged the disciplinary exclusion of handicapped children from public education, the courts have found such exclusion to be in violation of the student's right to a free, appropriate public education (Grosenick & Huntze, 1981). In several cases, however, the courts have ruled that a student could be excluded, according to the same law that governs exclusion of the nonhandicapped, if the student's behavior termed misconduct was not related to his/her handicap. Within the State of Florida, each school district's Procedures for Providing Special Education for Exceptional Students must now include the requirements and procedures for using a staffing committee to determine whether or not the student's misconduct is related to his/her handicapping condition. If the committee determines that the misconduct is related to the student's handicap, the student is not to be expelled. If the student's misconduct is not found to be related to his/her handicapping condition, the student may be expelled from that program, but a complete cessation of educational services must not occur. The expulsion will, therefore, trigger the process of IEP review. Further, as was discussed in Chapter 1, the courts have virtually never found that the behavior was not related to the handicapping condition. Given that, a local district would do well to carefully examine any instance in which exclusion proceeded based upon the assumption of no relationship between the behavior and the handicapping condition.

The Issue of Suspension in Florida

Florida statues define suspension as the temporary removal of a student from his/her regular school program for a period not to exceed ten days. The authority to suspend a student rests with the school principal in accordance with rules of the local district school board with a report submitted to the parent or guardian and to the district superintendent within 24 hours.

Although the court ruling in S-1 v. Turlington and the subsequent State Board of Education rule changes required special procedures for expulsion only, many educators felt that there were implications for suspension policies and procedures as well. In response to the many questions resulting from the ruling, the Florida Bureau of Education for Exceptional Students (BEES) offered several suggestions regarding the suspension of handicapped students (Wells, 1981; Bureau of Education for Exceptional Students, 1983). These comments follow.

Suspension of Handicapped Students

Some of the court decisions which preceded the Florida decision have made reference to harm to handicapped students, such as deterioration in intellectual and emotional development, which may result from even short periods of exclusion. The issue at point has been the length of time during which a student may be suspended before his/her placement has been changed, since change of placement triggers the requirement for an IEP review; parent notice, consent and participation; and the parents' right to challenge the placement recommendation.

Two basic assumptions have been supported in court decisions regarding suspension. First, in an emergency situation, the school has the right to use its normal suspension procedures, provided that the handicapped student is substantially disrupting the educational process or endangering himself/herself or others. Second, although the length of suspension periods has been challenged in some states, the general trend appears to support the school's right to suspend for a maximum ten day period. Overuse and abuse of the suspension procedures established in state law has resulted in court decisions which either disallowed the use of serial suspensions or shortened the maximum length of the suspension period.

It is important that school and district administrators be aware of both state law and local policy regarding suspensions and have a common understanding of what constitutes an emergency situation. The use of suspension, particularly with handicapped students, should be carefully evaluated.

In the event of a possible suspension of a handicapped student, school administrators have been advised to consider the following questions:

1. Does the district's code of student conduct provide for suspension for this particular offense?
2. What benefit may be derived from suspending the student?
3. Are there other discipline strategies that would be more appropriate?
4. Is there any reason to believe that the misconduct is related to the student's handicapping condition and, if so, what action should be taken?
5. Has the student been suspended previously and, if so, what were the circumstances?
6. If the decision is made to suspend the student, for what period of time should the student be denied access to education?
7. What actions will be recommended to the student and his/her parent or guardian in order to facilitate successful re-entry into the school program?
8. If the recommendation includes obtaining school district or community services, how can the process be facilitated? (State of Florida DOE, 1983)

School personnel have been cautioned to avoid the use of multiple or sequential suspensions with handicapped students. Such practice may be interpreted as a complete cessation of educational services, which is a violation of the handicapped students' right to a free, appropriate education as provided in state and federal law and regulations.

Although the school district's code of student conduct applies to handicapped students as well as to the normal population, an exception must be included to ensure that the handicapped students will not be denied educational services. Behaviorally disordered students in particular may be less able than other students to control their behavior. Further, any form of discipline used must be considered in terms of the eventual effect upon the student's behavior. Any disciplinary practice which exacerbates a handicapped student's behavior would be inappropriate for use with that student.

When a handicapped student's behavior is so disruptive to the education of others that he/she must be removed from that setting, the school district may consider the following alternatives:

1. Provision of additional related services, such as diagnosis and evaluation, counseling, medical services, parent counseling, or parent training;
2. A change in disciplinary procedures or organizational structure within the same special education program;
3. Increased time in the current special education program;
4. Provision of a special education program in another setting;
5. Involvement with programs funded by other agencies, such as Health and Rehabilitative Services, community colleges, or others;
6. Returning the student to regular education.

It is important to ensure that any proposed change in an educational program provides for both (a) the individual needs of the student and (b) placement in the least restrictive environment (Wells, 1981).

An Example of an Alternative to School Suspension

The PASS Program. A comprehensive intervention program designed specifically for the purpose of preventing suspensions is Project PASS (Positive Alternatives to School Suspension) in Pinellas County, Florida. Project PASS was developed in 1971 because of a critical increase in student behavior problems and subsequent suspensions resulting from forced desegregation in a densely populated urban area. The project began operations as a two-year pilot program in three secondary schools, funded under Elementary and Secondary Act Title III.

The major activities of the original PASS program included:

1. The provision by a social worker and school psychologist, of individual and group consultation sessions for the purpose of assisting school faculties in developing techniques for interacting effectively with adolescent students;
2. Consultation with parents to assist them in developing skills in communication and problem-solving which lead to improved family relationships;
3. The establishment of "Time-Out Rooms" managed by a teacher or para-professional who received supervision from the school worker and psychologist; and
4. The provision of counseling for both the students who experienced serious or recurring interpersonal confrontations and their parents.

Program Evaluation. The effectiveness of the PASS program was documented by a survey of the three schools in which the program was implemented and three comparison schools selected by geographic proximity to the PASS schools. The results of the survey indicated that the PASS schools had a significantly lower proportion of suspensions than the comparison schools during both years. As a result of the success of the project in the pilot schools, the PASS program has been expanded to serve all high schools in the district.

Program Expansion. The program has been expanded to emphasize five areas of development:

1. The staff development activities include inservice training programs with followup consultations for each staff member, psychologist, teacher or paraprofessional, beginning with individual self-exploration by each staff member.

2. Parent training activities are provided in six two-hour sessions.

3. The Time-Out Room provides an opportunity for students to talk about problems with a "facilitative listener." The Time-Out Room Resource Teacher helps students to forecast consequences, explore alternatives, make decisions, and develop specific plans which frequently lead to more productive behavior in the student's regular classes. Students are sent to the Time-Out Room by school personnel, or the service can be requested by the students themselves. The room also serves as an in-school suspension center for a limited period of time; however, while in the Time-Out Room, students receive assignments from regular classes so that they do not fall behind in their subjects. Because prolonged isolation or segregation from the regular program is considered to be detrimental, the emphasis is placed upon returning students to their regular classes as quickly as they can develop a plan for the resolution of their difficulties. Administrators, counselors, and teachers are kept informed of students' progress while they are in the Time-Out Room.

4. Conferences, counseling, and group work are provided for students who are spending more than three class periods per day in the Time-Out Room to help them resolve their conflicts.

5. Intensive intervention is provided by a school psychologist and a social worker for the estimated one percent of the students who are having difficulty developing acceptable social behaviors. The psychologist and social worker are available not only to the students but also to the staff and parents.

6. Innovative courses have also been introduced. "Staff Development for a Humanistic School" and "Humanistic Activities in the Regular Classroom" are for the purpose of helping students and teachers learn to know and appreciate one another. "A Student's School Survival Course" and "A Student's Home Survival Course" are for the purpose of helping students to learn to interact more effectively with others in their environment.

Project Dissemination. During the period from October, 1980 to February, 1982, with funding from the National Diffusion Network, PASS training was conducted in 26 states, with over 6800 individuals involved. All or part of the program has been adopted in 20 states, and certified demonstration sites have been established in Alabama, Connecticut, Indiana, Louisiana, New York, Oregon, and Texas.

Cost Information. Operational costs for the program include the salaries of a psychologist and social worker, shared by five schools, and a Time-Out Room teacher for each school. The program has been continued and expanded with state and local funding along with support from Elementary and Secondary Act Title IV B funds which are available for counseling and guidance programs. Support for project dissemination was received from the National Diffusion Network. Other districts that have adopted all or part of the PASS program have used federal, state, and local funds for program support.

State Department of Education Resource Manuals

In response to the need for a more positive approach to the discipline problems of handicapped youth, several projects were authorized by the Bureau of Education for Exceptional Students, State of Florida Department of Education, and funded under Federal Assistance for the Education for the Handicapped (P.L. 91-230, EHA Part B, as amended by P.L. 93-380 and P.L. 94-142). These projects, developed by various Florida school districts, culminated in the publication of a series of resource manuals for use by state and local education agencies in designing and implementing appropriate educational programs for handicapped students. Of particular interest to educators of behaviorally disordered students are Volume IV-D, Educating Parents of the Severely Emotionally Disturbed, Volume IV-G, Positive Discipline for Exceptional Students, and Volume V-C, Affective Curriculum for Secondary Handicapped Students.

Positive Discipline for Exceptional Students

The resource manual, Positive Discipline for Exceptional Students, was an outcome of Project AIDES (Alternatives in Discipline for Exceptional Students). The manual and accompanying training materials were developed in the Polk County school district for the expressed purpose of assisting school district personnel in: (a) preventing the occurrence of unacceptable behavior; (b) providing positive opportunities for students to acquire standards of conduct which generally conform to those expected within the student's environment; (c) intervening in a positive manner when students are experiencing behavior problems; and (d) complying with statutes, rules, and district procedures in the event that an exceptional student is to be suspended or expelled from school (Bureau of Education for Exceptional Students, 1983).

The resource manual is divided into three sections. The first section deals with the prevention of discipline problems and covers such topics as: (a) the school's approach toward meeting the basic human needs of students; (b) the communication skills viewed as necessary by adults in the school environment; (c) key points of school and district operation at which discipline should be addressed and strategies for providing information about discipline to school district staff, parents and students; (d) the systems of communication used by school staff for addressing disciplinary needs and expectations, and (e) planning and evaluation for the purpose of making improvements in the school environment (BEES, 1983).

The second section outlines organizational options that should be made available in the regular schools for the purpose of providing positive discipline for all students. The list of options is by no means exhaustive but serves to illustrate ways in which the physical environment may be manipulated to arrange special settings in which students have the opportunity to learn acceptable standards of conduct. These options include: (a) time-out within the classroom, (b) instructional time-out rooms, (c) a peer facilitator program, (d) behavioral instruction, and (e) crisis intervention.

The third section of the resource manual addresses issues which relate specifically to the discipline of exceptional students when provisions for prevention of behavioral problems have not been effective, including procedures for compliance with federal, state, and local laws, rules and regulations.

Educating Parents of the Emotionally Disturbed

A comprehensive program, Educating Parents of the Emotionally Disturbed, was developed by the Dade County Public Schools for the Florida Department of Education. The eleven week program consists of nine group sessions and two home visits. Topics covered in the group sessions include: (a) the nature of emotional disturbance; (b) parents' reactions to their child's handicapping conditions; (c) helping parents cope with their own stress and stress in their child; (d) communication skills: (e) active listening "I" messages; (f) dealing with crisis; (g) community resources; (h) conflict resolution; (i) problem solving; (j) working with the schools; and (k) networking. In addition to the nine modules, a set of nine audiovisual presentations were developed to accompany this training package.

Affective Curriculum for Secondary Emotionally Handicapped Students

The Model Affective Resource Curriculum (MARC) was developed by the Orange County Public Schools. The MARC curriculum consists of four units: Self Control, Problem Solving, Communication, and Behavioral Interactions. Each unit includes 18 skill lessons and 14 activities to be taught over a nine week period. The affective curriculum, which includes compilations and modifications of commercial materials, focuses on developing the cognitive and behavioral skills needed for social competence. Also included in the resource manual are newsletters designed to introduce the MARC curriculum to parents, an outline for staff development, worksheets for use with the students, and an extensive bibliography.

Conclusion

Thus, as a result of the impact of the S-1 v. Turlington case, Florida has developed a several pronged approach to the discipline and exclusion of handicapped children and youth. These approaches, as outlined in this chapter, include: (1) better utilization of the IEP; (2) guidelines for the consideration of expulsion or suspension; (3) implementation of preventative programs; and (4) the development of resource manuals that help districts identify and address the relevant issues. It is hoped that such a diverse approach will assist local education agencies in the consideration of the complex issues and procedures that surround the subject of disciplinary exclusion of behaviorally disordered children and youth.

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CHAPTER 5

IN-SCHOOL SUSPENSION
A POSITIVE ALTERNATIVE TO DISCIPLINARY EXCLUSION

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Introduction

> "What's the big deal about school suspension? Doesn't it merely require that a student stay after school, spend some time in the principal's office, or stay home for a day to 'think about their misbehavior?'"
>
> \- High School Principal

School suspension has become a "big deal," and the disciplinary strategies mentioned above may or may not be sufficient. Recent legislation and litigation, particularly as it relates to the disciplinary exclusion of special education students, has left educators uncertain about the rights and responsibilities of students, as well as their own.

"In-school suspension" is the primary focus of this paper, but several related subtopics will be discussed. Subtopics to be reviewed include:

- The definition of in-school suspension
- A profile of student behavior
- A process for establishing an in-school suspension center
- The major components of an in-school suspension program
- Some complementary approaches to in-school suspension

Definition of In-school Suspension

Chapter 1 provided definitions of suspension and expulsion and reviewed the current legal opinions related to disciplinary exclusion. However, to date, courts have not differentiated between "in-school" and "out-of-school" suspension, and it should be noted that most of the precedent-setting litigation has been concerned with "out-of-school" suspension and/or expulsion.

It is necessary, then, to differentiate in-school suspension from out-of-school suspension and expulsion.

In-school suspension is an approach that is temporary in nature, usually one to two (1-2) consecutive days, a maximum of three (3) days per offense, with a maximum of fifteen (15) cumulative days per school year. The student remains within the school setting, continues to receive portions of his/her educational program and related services, and she/he receives some degree of supervision. Some privileges may be revoked. Behaviors which result in in-school suspension are generally less serious than those which precede out-of-school suspension or expulsion.

As mentioned earlier, the courts have not currently dealt with the issue of short-term assignment to in-school suspension. It is possible that in-school suspension may be immune from some of the disciplinary exclusion restrictions if: (1) a student's IEP (which was cooperatively developed and agreed to by school officials and the parents) includes a description of the behavioral management plan which further specifies in-school suspension as a possible program option; (2) the student continues to work on educational tasks which were set forth in the IEP; and (3) the student is supervised. However, objections to in-school suspension in its more commonly used form center around the lack of socialization opportunities available and that students who are placed in special education programs to learn to cope with difficult situations are being denied that opportunity by removal from the situation. Most likely, future litigation will shed light on these issues.

Profile of Student Behavior and Attitudes Typically Necessitating In-school Suspension

Behaviors That Typically Precipitate Suspensions and Expulsions

Golusha (1979) suggested that behaviors such as using drugs, alcohol, perpetual truancy, or violent behavior should be the reasons that students are generally assigned to in-school suspension. Lesser rule infractions should be dealt with in other ways, such as detention. Typically, however, assignments to in-school suspension are made for a wider variety of reasons: skipping class or school; leaving class or school without permission; possession, sale, or use of drugs or alcohol; failure to comply with reasonable requests or instructions; threats by word or deed; fighting; vulgarity/profanity; tardiness; extortion; possession or use of lethal weapons; forgery; and repeatedly breaking school rules (Johnson, 1979).

Profile of Students Typically Suspended or Expelled

Mizell (1978) provided a profile of the "typical" disruptive student who necessitates disciplinary measures such as in-school suspension:

Sex:	Male
Age:	12-17 years old
Family Situation:	From a single parent home and usually living with a working mother. Several children in the home. Parents were born in the city; grandparents migrated from rural areas. Family income at the poverty level, and often on welfare. Family does not own their home - live in apartments or public housing. Pattern of frequent job changes.
Student Attitudes:	Surly, antagonistic and vacillates with periods of reclusiveness. Seldom have long range goals nor plans for post-high school education. Job oriented with some interest in vocational training.
Characteristics:	Advanced socially and sexually mature. Set their own hours. Smoke and/or use drugs. Do not own a car.

Another characteristic of students who are typically suspended and/or expelled is that their average intelligence quotient is 87. Frequently, these are the students who struggle academically in the regular classroom, but do not quite qualify for special education assistance. As their skills become more and more discrepant from their peers, they tend to get discouraged, give up, and become behavioral problems. An implication for educators is that special programming for "slow learners" may: (a) help these students come closer to achieving at their maximum potential, (b) help them experience success; and (c) serve to ameliorate inappropriate behaviors that necessitate disciplinary exclusions.

A 1972-73 study conducted by the Department of Health, Education, and Welfare revealed that, ". . . the frequency of expulsions and suspensions of black, Spanish-surnamed, Asian-Americans, and native American Indian students is nearly twice that of white students . . . The average length of a suspension is nearly a day more for a minority student than for a white student . . . [and] of the 36,881 expulsions reviewed, non-minority students received 55%, although they constituted 62% of the total student population" (p. 13). The implication is that minority students receive a disproportionately higher number of suspensions and expulsions.

Hopefully, patterns such as those described above, are no longer prevalent in the 1980's. It should also be noted that many students who are suspended or expelled are from non-minority, wealthy homes, with both parents present and well-educated.

Given these pupil descriptions, let us now turn toward a description of the in-school suspension process in order to see how it can be used to avoid the exclusion of these students.

Developing an In-school Suspension Program

The Planning Framework

Establishing an in-school suspension (ISS) center is definitely a major undertaking, but thorough pre-planning can facilitate the process. A detailed analysis of projected activities can be especially helpful, given the number of people and activities typically involved in such a project and the tight timelines under which such programs are frequently created.

The format of the "blueprint" for developing an ISS center could include separate columns for identifying specific tasks, person(s) responsible, anticipated initiation and completion dates, and comments or results. Tasks which could be delineated in the planning document include:

1. Select a coordinator.
2. Establish a planning committee which includes regular and special education teachers, counselors, building and district level administrators, parents, students, and other knowledgeable persons.
3. Develop a rough draft of the program philosophy and goals.
4. Develop a detailed task analysis of projected activities.
5. Plan a public awareness campaign, utilizing school and/or district newsletters, PTA meetings, school board meetings, etc. The campaign should be implemented during the initial stages of the ISS center development, with notification of the center's intent and request for community input. Updates to the community should be made regularly as the ISS program develops. Yearly evaluation results should also be shared with the community.
6. Conduct a review of relevant literature (i.e., legislation, litigation, program models, behavior management techniques, etc.)
7. Locate and visit existing program models. Personnel from the State Department of Public Instruction, intermediate educational units, colleges and universities, etc., can be helpful in identifying model projects to visit.
8. Review the district's discipline policy manual on disciplinary exclusion, and make modifications if necessary.
9. Gather and review data on: types of students in the school and/or district who typically necessitate suspensions or expulsions; number of yearly expulsions and suspensions; current criteria for exclusions; availability and interest of personnel in working with the project, etc.
10. Finalize the program philosophy and goals.
11. Select, adapt, or develop the specific ISS program model.

12. Determine the anticipated cost of the program and the funding currently available. If a discrepancy exists between the two, consider ways to procure additional funds.

13. Specify criteria for ISS staff selection.

14. Conduct interviews for ISS staff, and hire personnel as soon as possible. Ideally, the ISS staff member(s) will be involved in the majority of the planning process.

15. Establish sub-committees to work on specific tasks, such as developing individualized instructional packets, class schedules and rules, entry and exit criteria, etc.

16. Order necessary materials, equipment, etc.

17. Locate physical space for the program.

18. Develop procedural program guidelines and forms for referrals, re-admitting student to his/her regular program, conducting follow-up, etc.

19. Conduct in-service sessions for building staff on the program philosophy and goals, the ISS center's intent and mode of operation, expectations of the regular staff, behavioral management techniques and philosophy, etc.

20. Monitor and evaluate the program, on an on-going basis.

21. Make program modifications, based on the evaluation results.

22. Prepare formal evaluation of the ISS center, at least on a yearly basis.

The exact sequence of the above events and the tasks, themselves, will obviously vary from district to district, depending upon specific needs, available personnel, type of in-school suspension model selected, etc.

Establishing the Program

Many of the tasks delineated in the previous planning section are self-explanatory, however, several components are worthy of further discussion. The following discussion will expand on those and discuss some additional considerations.

Program Philosophy and Goals. This task constitutes a crucial factor in the establishment of an ISS program. All too often this component is omitted or regarded as "mere words" that look good but mean little. In actuality, the philosophy and goals of an in-school suspension center establish its very foundation and provide guidance in the development of the program.

Philosophical components of a positive in-school suspension program include: teaching students essential life skills (academic and social); treating students fairly, consistently, humanely, and with respect; improving students' behavior; and reducing the number of out-of-school suspensions and expulsions. The philosophy of the ISS program should be consistent with the district's overall philosophy of education and should reflect a desire to meet the needs of all students - including those students who manifest behavioral problems.

The specific goals of an in-school suspension program are an outgrowth of the philosophy. ISS goals should reflect a desire to develop sound educational practice, not merely a desire to provide legal safeguards nor to provide a quick, administrative response to the students who are behaving in a disruptive or otherwise inappropriate manner.

The Behavior Adjustment Center (BAC) in the Ft. Osage, Missouri Public School System was developed on the basis of the following goals:

1. Place major emphasis on active student involvement in: (a) cause and effect relationships; (b) planning and goal setting; (c) problem solving and (d) evaluation and re-evaluation of personal progress.
2. Create an atmosphere that will encourage the student to accomplish his/her set goals or objectives.
3. Aid in the development of needed skills, concepts, and values in computation and communication for his chosen place in life and career.
4. Assist in the development of a complete understanding of self.
5. Encourage critical and responsible thinking.
6. Foster humanistic internal and external respect.

7. Promote personal growth through mutual meaningful relationships between students and teachers.
8. Provide individualized instruction in an attempt to prepare students for further educational development.
9. Involve parents in students' participation in the program.
10. Aid the student to understand the future through knowledge of his/her past and present actions.
11. Aid the students to become successful contributing members of an occupation, a career, and the community.

A similarly comprehensive set of goals was proposed by Mizell (1978). He stated that ". . . ISS should be developed for the purpose of: (1) helping the child, (2) identifying and remedying the root problem(s) responsible for the real or perceived commission of a disciplinary offense, (3) helping students develop self-discipline, (4) gaining knowledge about the factors contributing to discipline-related problems and initiating preventive measures to reduce these problems, (5) eliminating the use of out-of-school disciplinary suspensions for all offenses except those that clearly threaten the security of the school community, and (6) providing a framework within which school personnel can work on achieving the first five goals while enabling the majority of the students in the school to continue to participate, without interruption, in the school's instructional process."

Whatever goals are established for the ISS program, they should truly reflect the philosophy of the center and should be consistently evident in all aspects of the program.

In-school Suspension Personnel. It is a cliche among educators that a new program is only as good as the staff. This need not be a truism. Admittedly, an extremely competent and successful staff member could possibly turn a mediocre program into a successful one. However, the intent is to develop such a sound, comprehensive, and well documented program that "superstars" are not essential for successful implementation.

Ideally, the ISS center should be staffed by a full-time special education teacher. Other options, listed in order of preference, include: a full-time regular education teacher; a highly skilled and thoroughly trained paraprofessional; or rotating two, but no more than three, teachers who are currently on staff.

The least desirable approach to monitoring the in-school suspension center, but one of the more frequently utilized approaches is intermittent supervision by a counselor, administrator, or teacher(s). The expected results of this latter approach include: (a) less supervision and, therefore, less behavioral control; (b) less instruction; (c) less coordination of related staff activities when it comes to preparing assignments, conducting follow-up activities, etc.; and (d) questions regarding the provision of a free, appropriate public education which specifically requires " . . . education and related services . . . under public supervision and direction . . . and provided in conformity with an individualized education program." Overall, the maximum potential of an ISS program would not be realized when adopting such an approach.

Another common approach, also discouraged, is to have the student spend the day in the principal's or secretary's office. This tactic has many of the negative consequences associated with no supervision at all. It also results in an inconvenience for the person whose office has become a classroom necessitating alterations in some activities or requiring that they be conducted elsewhere. Limited space may be another obstacle in that students may have to wait for a day or two until room is available in the office. Another potential problem is that sitting in the principal's office, on a short-term basis, may actually be rewarding for some students.

Whatever approach is taken to staff the ISS center, the personnel should be screened for desirable characteristics, such as:

1. Sincere desire to work with the program and students who have behavioral problems;
2. Ability to establish rapport with students, parents, and other staff;
3. Cognizant of "why" students misbehave and related behavioral management strategies;
4. Ability to identify specific student needs;
5. Ability to individualize instruction at the appropriate level of difficulty;
6. Previous successful experience in working with students who manifest behavioral deficiencies; and
7. Ability to be fair, consistent, firm, organized, patient, and caring.

Staff Involvement and Cooperation with the ISS Program. It is crucial that all staff members in the building cooperate with the ISS staff. All personnel need to be aware of the basic philosophy and intent of the program, as well as their own responsibilities relative to the ISS center (i.e., determining when an ISS referral is appropriate, preparing/modifying a full day of assignments and sending them to the center by the specified time, etc.)

It is also possible that data collection and analysis concerning which students are sent to the center and why could help to identify teacher related problems that need to be remedied. This requires a close working relationship among all staff and a commitment to meeting student needs, even it if means identifying a person's own weaknesses.

The best way to get the cooperation of the entire staff is to get them involved in the project from the outset. Persons who have a vested interest in a program will generally work harder to ensure its success.

In-school Suspension Center Activities. A day devoted to independent completion of classroom assignments in an isolated setting constitutes the "status quo" for many ISS programs. While ISS is not supposed to be a reinforcing environment, but rather has the intent of deterring students away from future violations of the discipline policy, it is still part of the educational program. The center should offer an instructional program that is, at a minimum, as demanding, challenging, and informative, as the student's routine program.

A suggested sequence of activities follows. This sequence could be commenced at any point in the day and is based on the assumption that one day in ISS is the minimum assignment. The maximum assignment should be no longer than three (3) consecutive days, and no more than ten to fifteen (10-15) cumulative days per school year.

Initially, the student meets with the school administrator, counselor, or "gatekeeper". The first task is to ascertain the appropriateness of the ISS referral. If ISS appears to be appropriate, the administrator discusses with the student his/her specific inappropriate behavior and a description of what would have been the appropriate behavior. A rationale(s) for the appropriate behavior should follow and it should include references or analogies to "real world" situations and "natural consequences"; e.g., if you satisfactorily complete all your assigned responsibilities in your part-time job, you'll probably keep your job and may even get a raise or promotion, similarly, if you satisfactorily complete all classroom assignments, you'll probably get good grades and avoid ISS. Consequences are then specified including notification of an ensuing call or letter to parents, assignment to ISS, and the recommended duration in ISS. The student should be afforded the opportunity to deny the charges of misbehavior, and if he/she does so, documented evidence supporting the charges should be provided.

The purpose of the ISS center, as well as behavioral and academic expectations while in ISS, should be described in detail to the student. A written copy of the same information should also be given to the student.

Once formally admitted to the ISS program, the student will receive a packet. The contents of the packet will vary, depending on whether this is the student's first, second, third, etc. assignment to the program, but generally the materials will include: a mediation essay (student provides description of his/her inappropriate behavior, what the appropriate behavior should have been, reasons why the inappropriate behavior is not desirable but the appropriate behavior is desirable, etc.), values classification exercises, interest inventories, and general knowledge lessons.

The student is given three hours to complete all of the above tasks. Should he/she satisfactorily complete all activities prior to the end of the three hour period, additional exercises should be made available. Interactive video cassette programs or computer programs could offer individualized academic exercises, as well as values clarification activities, or counseling.

One of the advantages of the three hours of work prescribed by the ISS staff is that it gives the classroom teachers a chance to prepare the student's assignments. It is not reasonable to expect teachers to stop all of their work with 20-30 students, in order to organize activities for one student who has essentially been "fired" from the classroom. Teachers will especially appreciate this time allowance when major content or format modifications are required to enable the student to complete the assignments independently.

Students will have the remainder of the day to complete regular classroom assignments. The teachers will establish mastery criterion for each assignment, based on the knowledge of the student's ability and knowledge in each area. While some schools do not give students credit for work done in the ISS center, this seems contrary to a positive ISS approach. It is recommended that students receive full credit for all work completed and that they not be additionally penalized for their absence from the classroom.

Counseling services are frequently a part of the total ISS program. In such cases, the daily schedule may be structured so that time is available for individual or small group counseling sessions, or these could occur prior to, or after the ISS assignment.

The final activity to be completed by the student prior to being dismissed from the ISS center is to complete an evaluation of his/her time in the program. Students should be encouraged to comment on their feelings as well as to make an objective appraisal of their work and new skills developed. A follow-up student evaluation of the program could also be conducted after sufficient time has elapsed that the student might have a more objective outlook. Students could be allowed to complete the survey and sign it with an anonymous "code word", if enough students attend the program daily to ensure anonymity. This would allow for matching the pre-and-post results for individual students.

The final requirement of some ISS programs is to make a formal apology to the teacher or other staff person who referred the student to ISS. The apology should be conducted privately and include the following components: (1) address the person by name, (2) state regret for inappropriate behavior, (3) assure the person that he/she now has his/her behavior under control and will comply with school rules, and (4) request re-admittance to the classroom. The student should maintain good eye contact throughout the apology and exhibit good posture.

In-school Suspension Center Rules. Just as other classrooms have rules, so too, does an ISS center. These rules need to be stated specifically enough that students will know what the expectations are and the consequences for rule violations. At the same time, the rules should not be so specific and comprehensive that a student cannot remember the content.

Rules established for the Parkway North Junior High School's ISS program (North Kansas City, Missouri, Public School System) are:

1. Students may not talk.
2. Students must be working at all times.
3. Students must stay seated.
4. Students will be required to have pencil and paper. If they fail to have these and materials have to be provided, another day will be added.
5. When students have questions, they are to raise their hands and be recognized by the teacher.
6. Students are to bring their coats and other materials to ISS. Coats and hats are not to be worn in ISS.
7. Students are to remain in the room for the entire period.
8. Extra days will be added if any of the rules are not followed.
9. If a student skips the ISS center, one day will be added. If he/she skips again, she/he will remain at home until a parent conference is held with the administration.

Goluska (1979) proposed a briefer set of rules:

1. No talking.
2. Students are only allowed to write in two colors of ink: red ink for asking questions and black ink for writing answers.
3. All students eat lunch as a group, prior to their peers.
4. Students may not participate in extra-curricular activities such as pep rallies, assemblies, etc.

The degree of freedom allowed to students varies from program to program. While Goluska suggested that students in ISS eat separately from their peers, they are allowed to eat in the regular lunchroom. Other models require that students eat their lunch in the ISS room.

Attendance at extra-curricular activities will also vary. Some programs allow this, others do not. A few models permit students to attend selected regular classes, and attend ISS only during the periods where the difficulty first developed.

Students are generally expected to be on-task at all times. They usually get two breaks - five (5) minutes in the morning and five (5) minutes in the afternoon. The students may be required to take the breaks at prearranged times, or be allowed to take breaks upon request.

In-school Suspension Facility. The program should be located in the regular school building. The size of the room will be dependent on the number of students who are typically suspended. The center should approximate a regular classroom, but with a minimum of auditory and visual distractions (preferably no windows, no wall decorations, etc.). The facility should be located away from heavy student traffic in order to avoid "sightseers" and to save students the embarrassment of being seen entering and leaving the room. If possible, it should be readily accessible to administrators, counselors, or others who have been trained in dealing with crisis situations.

Administrative Involvement and Procedures for ISS. Thought needs to be given to specific procedures for referring and assigning students to ISS, determining duration of stay, etc. A very specific discipline policy model will simplify this task and increase the likelihood that the program will be fairly and consistently implemented. Specific rules and consequences for breaking those rules should be made known to the students at the beginning of the year.

A referral form could be developed which teachers would use to record the reason for an ISS referral and for justification documentation. If possible, the administrator or other "gatekeeper" should meet personally with the teacher to discuss the event(s) that led to the referral.

A daily communique sheet could also be developed upon which the ISS staff could record the activities completed by the student and at what success level.

Information could also be provided regarding the student's behavior. It could be required that the parent sign and return the note each day. These cards might also be used at the end of the suspension period to help determine if the student is ready to go back to his/her classroom.

Follow-up Services. It may be desirable to monitor a student's behavior for three to five days after his/her completion of an ISS assignment. The student could be required to carry a card that each teacher signs and which records information about the student's progress. Daily parental review and signature on the card could be a requirement, or the card could be reviewed by only ISS staff or the administrator.

The student may require some follow-up services that the above procedure would identify, such as counseling, additional social skills training, a consideration of "change of placement", modifications in workload, etc. Space should be provided on the card for the student to request follow-up services or to make other comments.

Evaluation of the ISS Program. The ISS program should be monitored on an ongoing basis. Both quantitative (number of students referred and assigned to ISS daily; referral rates by teacher, grade, subject, time of day; reduction in the number of out-of-school suspensions; etc.) and qualitative (observed improvement in student behavior; student perceptions of the program; staff and parent perceptions; etc.) data should be gathered. An interpretation of the data will most likely yield some suggestions for revising the ISS program, as well as other components of the total school program; e.g., need for more lunchroom supervision, need for aides in some classrooms, conducting inservice on specific topics.

The ISS program should be formally evaluated on a yearly basis and less formally evaluated at the midpoint of the academic year. Results of the evaluation, as well as resulting implications for changes, should be made available to school staff, parents, school board members, central office administrators, students, etc.

Funding the ISS Program. The financing of an ISS center, especially at a time when education budgets are being drastically cut, is a major obstacle for many administrators. However, "if something is seen as professionally desirable it should be administratively possible" (Fenwick, 1975). It should be noted that a district would probably not have to come up with the total cost of a teacher's salary. A fairly large portion of this sum could come from an increase in revenues generated by an increase in the average daily attendance figure and also by reduced legal fees that could result from litigation over out-of-school suspensions.

Additional funding sources might include: U.S. Department of Education; Department of Juvenile Justice; Department of Labor; State Department of Education; intermediate education units; colleges and universities; community organizations; fund raisers; private businesses; etc. If a district does apply for and receives a funding grant, thought needs to be given to how the district will continue the program once the funds are exhausted.

Procedures That May Complement In-school Suspension

There are a variety of complementary activities that schools can use in conjunction with an ISS program. A few of these are outlined below. Additionally, if an in-school suspension center is not a viable option in some cases due to funding limitations, lack of justification, inability to get district approval or staff cooperation, etc., these alternatives to disciplinary exclusion may be utilized in place of in-school suspension centers.

Saturday Schools and Detention Centers. These models are based upon similar assumptions. First of all, students who behave inappropriately need to learn to behave appropriately. If they are consistently excluded from difficult situations, they will not learn necessary coping skills. Secondly, the students who are the most frequent rule breakers generally have a negative attitude toward school and would view disciplinary exclusion as a reward. Third, it is illogical to consequate a student who is frequently tardy or absent with more time out-of-school. One of the major problems with these approaches is that students come to view education and time in school as "punishment".

Detention centers and Saturday Schools are most often located in study halls, cafeterias, or other rooms not in use during after school hours. The centers are generally supervised by regular school staff on a rotating basis. Common rules are "no talking" and "stay in your seat". It is not always a requirement that students complete academic tasks and under those conditions these alternatives can hardly be viewed as positive.

Many of the components of a positive in-school suspension program could be incorporated into both of these models. For example, students could be required to complete a specified number of additional or remedial academic tasks, work on values clarification exercises, write mediation essays, etc. Whatever ISS components were adopted, it would require that the staff work together to first establish a philosophy which reflects a desire to provide students with the best possible education at all times. From there, center goals, rules, instructional packets, etc., could be developed.

Counseling Centers. This is another approach which may be preventive or disciplinary in nature. Students who consistently exhibit inappropriate behavior may be placed in a counseling program. They may receive individual, group, peer, or family counseling as a preventive measure. As a disciplinary measure, students may be sent to the counseling center to discuss their inappropriate behavior, what they should have done instead and why, develop coping strategies for the future, practice the appropriate behavior, etc. Counselors may also assign consequences for the misbehavior, or direct the student to a school administrator for that purpose.

Counselors may also serve as liaisons between teachers, administrators, students, and the family. Previously unknown needs of students may also be identified by counselors, such as the need for lower instructional level materials, the need for a quiet working space with fewer distractions, etc. The counseling staff could also conduct a variety of assessments or make referrals for additional or different educational and related services.

A potential problem with using only a counseling center for dealing with discipline is that students come to perceive it in a negative light. It may also reduce the effectiveness of the counseling-preventive measures, and/or serve to confuse the child about the purpose and role of counselors. Many counselors will be reluctant to take on such a role, preferring instead to serve as a student advocate, based upon the premise that the role of "consequator" will jeopardize the rapport and trust of the student-counselor relationship.

Behavior Management Programs. Behavioral contracts for appropriate school behavior could be developed and agreed to by the student, school representative(s) and sometimes the family. Specific expectations would be listed and consequences (positive and negative) would be pre-determined for compliance or non-compliance with the contract. Persons responsible for implementing and monitoring the contract would be denoted, as well as conditions/date for terminating the contract. The contract could be part of the special education program's overall motivation system, or it could be singularly designed for a student who is experiencing difficulty in one area.

Time-Out Rooms. This approach may be used as a preventive or a disciplinary measure. If a student feels upset and recognizes his/her inability to cope with the classroom situation, she/he may request to spend some time in the time-out room. An obvious concern here is that students might use the room as a tactic to take a "break" from school work. As a disciplinary measure, it is used to separate the student from those who are being distracted by the display of inappropriate behavior, and to give the student a chance to calm down enough to discuss the situation objectively. "Isolation" and "segregation from peers" are also considered by some as negative consequences that will deter repetition of the behavior in question.

Major concerns about such an approach, when used as a disciplinary measure, are the lack of supervision and not providing an educational program. If such a strategy is used, it should be for short periods of time, allow for some supervision, and should always be followed by a discussion of the precipitating events. Terms such as "cooling off room", "thinking room", or "time-out-room", are preferrable to "isolation".

Alternative, Work Study, and Vocational Programs. These models are especially viable for students who fit strongly into the profile of a school drop-out or who are in need of vocational experiences and training prior to high school graduation. These centers are sometimes set up within a regular school facility, and other times are located in training centers, on college campuses, in schools, or in completely separate facilities. Academic and survival skills instruction usually occurs 2-4 hours daily, with vocational training or actual job placement occupying the remainder of the day.

Graduation requirements vary from school district to district and need to be considered prior to the development of an alternative center. Districts may award students who complete the program with the regular high school diploma, or one of several variations: an attendance certificate, continuous progress diploma, or a school certificate which documents successful completion of the specific program.

Family Involvement and Responsibility. A very simple approach, used primarily for students who are chronically tardy or absent is to involve the parent(s). A call should be made to the home or parent's work place, as soon as it's known that the student is not in school. Encouragement to get the student to school would be given. If the absentee problem continues, legal action against the parent(s) for their child's truancy could be instigated.

Ombudsperson Program. Districts may hire new personnel, involve current personnel, or select students to serve as mediators. In such cases, teachers and students would file complaints with the project staff. Ombudspersons would then review the complaint and mediate a cooperative resolution. They could also function in a preventive manner.

Disadvantages of such an approach could include inconsistent resolutions and consequences, and students would never truly know in advance the expected consequences for a specific rule violation. Inherent within this model is an unavoidable delay between the conflict and the resolution. Ideally, little time should pass between behavior (appropriate and inappropriate) and consequences.

Preventive Approaches. Any model which serves to prevent inappropriate behavior that requires some form of remediation measure could be categorized as a "preventive" model. Carried to the extreme, out-of-school suspension could be called a preventive measure, but not appropriately so. Some of the previously described models may be used in a preventive and/or disciplinary manner. Additionally, there are some approaches that are strictly preventive in nature.

Proactive school-student committees, class conferences, etc. can serve a preventive function. By objectively discussing rules, associated consequences, potential adversarial situations, specific student needs and desires, etc., program changes may be cooperatively made. With increased student satisfaction and a vested interest that results from having a "say" in their school world, students may work harder at maintaining proper behavior.

Teaching Social Skills. Another preventive approach which is currently the most prevalent is teaching social and coping skills as an integral part of the total curriculum. The underpinnings of such an approach are substantial.

- Research studies conducted by the Office of Education indicated that approximately 85% of all people who lose their jobs do so not because of incompetence but, rather, because of an inability to get along with their co-workers (Downs & Black, 1979).
- Students with deficient social skills have a high incidence rate of delinquency (Roff, Sells, & Golden, 1972).
- Students who have social skills deficiencies are socially unpopular students (Ogden & Asken, 1977).
- Inadequate social skills have been related to delayed cognitive development (Cartledge & Milburn, 1978).

What exactly are "social skills?" Stephens (1978) delineated 136 skills in his book, Teaching Social Skills in the Classroom. Goldstein's "Structured Learning Skills Checklist" (1980) identified 50 broader skills. The Teaching Family/Boy's Town Model provides a more concise listing of 14 social skills.

Regardless of which social skills list is used, they all include a task analysis of each step. For example, the steps for accepting criticism might be: (1) make eye contact; (2) acknowledge the criticism; (3) do not argue, complain, etc.; and (4) if you don't agree with the criticism, use the "Giving Negative Feedback" skills: (a) make eye contact; (b) using calm voice tone, state problem specifically; (c) give rationales; (d) offer a possible solution; and (e) thank the person for considering your opinion.

The usual sequence for teaching social skills is:

- identify behavior and/or skill
- assess skill level
- prescribe pre-teaching strategies
- evaluate effectiveness of pre-teaching strategies on an ongoing basis, and make necessary revisions
- develop and implement a skill maintenance program
    - social reinforcement - effective praise
    - corrective teaching
    - contingency management
    - skill review
- provide for skill generalization
    - assess skill generalization
    - utilize contingency management
    - teach generalization procedures, if necessary

Summary

In-school suspension can be one of the most effective tools available to a school official when used for the purpose of controlling and/or disciplining a student. If this approach is carried out appropriately, the district can easily remain within legal requirements. More importantly, however, the student not only continues to receive an appropriate education, but may also have an opportunity to learn new skills which would not have been part of his/her regular education program (i.e., learning to expect consequences and to accept them, learning to identify potentially frustrating stimuli and developing appropriate coping skills, etc.). It cannot be emphasized strongly enough that the purpose of our educational system is to prepare our youth for the most successful adult life possible. Even when dealing with serious disciplinary issues, the needs of the student(s) must precede the needs of the educational personnel.

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CHAPTER 6

ALTERNATIVE SCHOOL PROGRAMMING FOR BEHAVIOR DISORDERED CHILDREN

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The history of alternative schools has been one of cycles and varied success. Typically, cries for new schools, innovative programs, different administrative organizations, or new forms of service delivery have been based on differing perceptions of how to resolve curriculum and instructional problems evidenced by children who apparently have diverse learning and developmental characteristics. Also, alternative schools are thought to be means through which national goals in education can be accomplished. These goals are frequently established for those students who do not comfortably fit the ordinary provisions of the general education system. Proposals are made to have students certified as divergent and then served through special means and systems. For example, early national efforts to educate immigrant children are correlated with special schools and supposedly specialized instruction and curricula (Hoffman, 1974). The rapid expansion of alternative school programs during the 1960's and 1970's frequently was intended to provide an appropriate education to non-achieving, dropout prone, and, oftentimes, behaviorally disaffected youth (Kozol, 1972). Education for minority students, urban students, poor or disenfranchised students, and other groups has been implemented so that alternatives are a standard offering or design in many school systems (National Alternative Schools Program, 1975). Currently, neo-traditional alternative programs are being established that provide a relatively conservative, frequently Christian-oriented educational environment (Newsweek, January 2, 1984). Finally, special education services have undergone a decade of unparalleled expansion to meet legal and social mandates of providing a free and appropriate public education to diverse groups of handicapped children and youth. "Appropriate" has been often interpreted to mean "alternative."

While alternative schools and programs have arisen in response to needs that are thought to be best served through education, the success or longevity of these programs is much more related to the perceptions held by the "powers-that-be" in a given community than the actual efficacy of the program. The life expectancy of alternative school programs has as much to do with how welcome that program is in a community as it does with service provided, outcomes attained, or continued need for the program. In special education, an alternative school's existence may be related to regulatory mandates, too.

Thus, alternative schools have come and gone, have been started in response to a perceived national or community need, have operated on the hope that making alternatives available to different groups of children and youth would be educationally positive and productive, and have succeeded or failed more in relation to political, economic, and social expectations and variables than educational variables. The purpose of this paper is to focus on the role of alternative schools in the field of special education, with special attention given to the education of behaviorally disordered or seriously emotionally disturbed children. This discussion will attempt to further the efforts of the National Needs Analysis/Leadership Training Project in Behavior Disorders, University of Missouri-Columbia, by illustrating the role of alternative schools as an alternative to the practice of disciplinary exclusion. To accomplish this purpose, an examination of multiple issues involved with alternative schools is required. First, some clarifying points are needed.

Administration and Educational Programs

Confusion occurs when an administrative organization is thought to be synonymous with an educational program. A "school" cannot be equated with an "instructional program." In this chapter, "alternative school" means an administrative organization designed to accomplish the objectives of managing special education programs; "alternative school environments" or "programming" is intended to refer to the instructional and curriculum practices typically used with students in a school.

Lest this distinction seem frivolous, I point to the differences described in two articles: Deno's (1970), in which she describes the special education "cascade of services" administrative model; and McCauley's (1977), in which he describes the essential ingredients necessary to an exemplary instructional program for behavior disordered students.

Deno's (1970) "cascade model" established guidelines for determining the percentage of special education service to be given students placed in any one of six administrative service levels and a coherent approach to deciding the extent of services and resources to be allocated at any given level. Much of the model presented by Deno stimulates discussion of administrative variables in the provision of special education services: number of personnel and type of educational training needed to match with a known or suspected number of children needing service; school facilities needed; communication and role relationships between general and special education; job responsibilities and descriptions; policies and procedures related to due process issues; referral and placement systems; meeting of federal and state regulatory mandates; budget; and so on.

McCauley (1977), in turn, seeks to clarify the elements around which an instructional program is organized and operated, independent of administrative level or organizational arrangement. He asserts that, ". . . an educational program (is) a planned, cohesive, systematic effort to serve the developmental needs of specific populations of children . . . " (p. 7) through the explication and manipulation of key programming variables such as the following:

1. An ideational or philosophical context
2. Program goals
3. Population definition
4. Program entry procedures
5. Intervention methods, curriculum, and materials
6. Program exit procedures
7. Program evaluation design and procedures
8. Professional and community acceptance.

Therefore, an analysis of alternative schools and the programming conducted within the boundaries of those schools would not lead us along the same path. Each subject could have profoundly different dimensions for discussion. This writer will occasionally move back and forth between the two in an effort to focus on the multiplicity of issues in providing an appropriate education to behavior disordered children through alternative channels.

Alternative Schools for Behavior Disordered Children

Much has been written on the roles assumed by alternative schools (Gross & Gross, 1969; Reimer, 1971; Silberman, 1970). Rather than rehash this material, a few significant issues related to the education of behavior disordered children and youth can be derived from these writings.

As Nelson (1977) has so clearly articulated, alternative schools have often been established so as to increase the flexibility and relevance of education for difficult-to-educate students who exhibit behaviors discrepant from the community or school system's standard expectations. He also notes, accurately, and unfortunately so, that students may be in special class alternatives as much for the convenience of a school system that would not modify its practices to fit student needs as for the students' well-being.

It does seem true that many alternative schools for the behaviorally disordered are opened as much in response to a community and educational system perceiving threat from their youngsters as from any coherent plan to provide comprehensive and intensive services to youngsters with a given set of needs. While the writers cited above (e.g., Gross & Gross, 1969) actively sought structural changes in the general, mainstream educational system so as to increase relevance and heterogeneity in the curriculum-instructional process, special education suffers from the problem of having educational options created that are often:

1. For the purpose of systematically removing groups of youngsters from participation in the normal available educational environments.

2. Self-contained in administrative design, located at Levels 4, 5, and 6 of the "cascade" service delivery model, and thus are on a parallel, but nonetheless separate educational path to general education.

3. Designed to meet regulatory requirements pertaining to identification, referral, and placement, including parental participation in a due process-based decision making system, but give little to no choice to the individual in selecting either the educational placement (school or program) or the educational treatment or intervention process to be employed.

4. Certifying and labeling a youngster as deviant, and actively participating in a process that describes the child as the source of problems, segregates him/her from peers, diminishes her/his self-esteem, and evaluates his/her progress according to singular, middle-class, and too often, inadequately derived norms for achievement, socialization, and behavior.

5. Immersing students in an environment using behavior intervention strategies designed to seriously alter student lives with little or no evaluation of the impact of these strategies on an individual or group.

These issues must be faced squarely and openly by alternative schools serving a behavior disordered population. The general history of alternative schools has been to provide educational options that meet the needs of diverse groups of children, including those who are actually or possibly handicapped. The history of alternative schools in special education has been less optimistic in that these options have been closely associated with the removal of children from the broad general education program (and its options) to a narrower educational focus. This has both positive and detrimental consequences for children's learning and development.

Identification, Referral, and Placement

Grosenick and Huntze (1983) note that the number of behaviorally disordered children served in public school programs has grown from approximately 1,500 students in 1964 to about 349,000 students in 1981, a 99% growth rate. Yet, as these authors have noted in previous works of the National Needs Analysis Project, the number of children identified as seriously emotionally disturbed or behaviorally disordered may be conservative (Grosenick & Huntze, 1980). Most research on incidence rates establish a 2-3% rate; most prevalence statistics run far below that rate (Long, 1983). It could be argued that such statistics indicate care and precision in the identification, assessment, and subsequent referral to an appropriate level of educational placement. Such care and precision would reduce the effects of erroneous or harsh labeling, provide valid and reliable assessment of the child in relationship to his/her environment, and match a child's characteristics with intervention plans suited to the child in the least restrictive educational environment.

The alternative school program is often in a position to take such care and precision. It is "common knowledge" that referrals of supposed behavior disordered children often begin as a cry for help, usually phrased as "You've got to get this kid out of here - our school can no longer tolerate him/her." A valuable service to be provided to the general education system by a special education system, particularly an alternative school, is a set of well defined identification, referral, assessment, and placement-into-program procedures. Many horror stories are told about how children deemed behaviorally disordered have been moved suddenly and with little or no informed consent from parents or surrogates or without explicating any decision-making process related to a placement change. Furthermore, grim concerns have been raised by Grosenick, et al. (1981) that many handicapped students may be excluded from school systems for reasons related to their handicap.

One generic process is outlined in Figure 1. This process is adapted from McCauley and Erikson (1979), and illustrates a means of determining whether or not a child is appropriate for an alternative school program. The process outlines a series of tasks related to a phase of an identification, referral, assessment, and placement system, and notes who holds responsibilities for carrying out these tasks. It suggests the primary decisions to be made during this process, the timeline to be followed, and the data and data management necessary to make these decisions.

Essentially, a decision-making framework is established that guarantees a parent's (and child's) civil rights (due process rights) and attempts to use objective and performance-level behavior as a basis for what are, in the final analysis, value decisions on how to best educate a child.

An identification, referral, assessment, and placement process must beware of problems identified by Long (1983), particularly when that process is associated with the local or regional self-contained alternative school. Alternative schools in special education tend to advertise themselves as providers of highly specialized, intensively planned and implemented services. Long's (1983) research identified a positive correlation between the presence of high levels of specialized services and an increased use of "severe" in the emotional disturbance label assigned to a student. She also noted that

FIGURE 1
Generic Processes for Determining Need for
Alternative School for Individual Child

Process	Task	Data	Responsibility	Decisions	Time
IDENTIFICATION	Determine which student(s) need an alternative school. Determine which student(s) are not accelerating achievement or pro-social behaviors in general education structure.	Description of current school program, instructional and intervention strategies used, and student performance. Performance discrepancies between student and program expectations.	General education system: teachers, administrators, support roles.	Can school meet child's needs? Referred to an alternative school? Modifications to be made in general system to meet child's needs?	Undetermined
REFERRAL	Compile data, observations, and evaluations to submit to alternative school and team analysis.	Analysis indicates a need for assessment as to child's needs and appropriate educational program required. Analysis derived from observational and performance discrepancies.	General education system personnel in team with alternative school personnel. Parents and student Non-educational agency personnel.	Carryout a referral to alternative school? Development assessment plan for child?	1-2 Weeks
ASSESSMENT	Appraise child responses and interactions when presented learning tasks, educational environments, and socialization expectations. Develop objective, precise, behavioral description of child's performance in relation to current environment.	Assessment of current level and learning rate of student performance in relation to environmental expectations. Experimental evaluation of instructional strategies, interventions, and services that alter performance level and rate.	Alternative school personnel in cooperation with general education's personnel. Parents, non-educational agency personnel, student.	Priority of student needs? Special education service needs? Type of learning environment? Significant discrepancies that indicate problem?	30 school days (6 weeks)
PROGRAM SPECIFICATIONS	Plan short-and-long range goals for child. Predict instructional curriculum strategies that will positively affect child's performance. Specify learning environment that will foster child's performance (placement).	Analysis of assessment data to determine priority of needs. Relate performance data to behavioral, measurable objectives. Analyze learning rate changes from manipulation of instructional/intervention/service strategies. Relate data to recommendations for learning environment.	Alternative school personnel in cooperation with general education personnel. Parents, student. Non-educational agency personnel. (Child Study Team).	Program placement in relationship to individual's goals? Resources needed to implement program? Value considerations to be made by people involved?	1 Week

children residing in higher SES districts tended to receive more specialized services and be removed greater distances from general educational offerings than children from poorer school districts or districts with higher proportions of minority group students. As Long (1983) states, "It appears that the presence of sophisticated services in a school district, while not fostering overdetection per se, may contribute to the labeling of children as more severely disturbed, once they have been detected. Specialized, expensive services, once developed, may require the generation of sufficient numbers of children who are considered disturbed enough to use them" (p. 52). These problems cannot be treated as a "caveat emptor" problem; the alternative school program staff need to take an active part in resolving these problems and preventing the inappropriate labeling and placement of children through their referral processes.

Curriculum and Instruction

Given placement of youngsters in an alternative school, the difficult business of providing them an effective educational environment comes to the fore. The implementation of a given curriculum and instructional program begins. Philosophically, each alternative school program may specify the school's anticipated outcomes and methods for attaining those goals in theoretically or conceptually consistent terms. However, few alternative school programs operate in theoretically pure terms. They make numerous *a priori* decisions about the educational environment to be provided and the expected impact on student performance, and must shape their programs around legal and regulatory requirements.

Yet, there are elements that have been determined as critical to success. These elements apply in general to curriculum and instructional processes employed in a school program, and guide the *a priori* decisions to be made.

For example, Sarri (1982) suggests that alternative school programs for behavior disordered children are most likely to be successful when they incorporate the following elements:

> 1. Goal-oriented learning and work in the classroom.
> 2. Individualized instruction with curricula that are tailored to individual interests and needs.
> 3. Clear rewards for individual improvement in academic competency.
> 4. Caring and competent teachers who develop warm and meaningful interpersonal relationships with students.
> 5. Strong supportive leadership by the school administration that establishes the climate for implementation and is correlated with normative behavior by youth.
> 6. A small student population of 100 or fewer.
> 7. Low student-adult ratios . . .
> 8. Flexibility, innovation, and a positive attitude toward change by the administration and staff that facilitates program effectiveness and increases student satisfaction (p. 5).

To focus on one critical element, the individualization of instruction is a powerful variable affecting behaviorally disordered children in an alternative school environment. For multiple reasons, many children placed in an alternative special education school require modified or specially prepared curriculum that will foster accurate responses, increase response rates, generate higher rates of positive reinforcement for task attention, completion, and accuracy, give precise feedback on learning performance on a daily and longer term basis, reinforce positive interactions with peers and adults in learning environments, provide a sequenced set of skills transferable to other curricula tasks, and aid in cognitive rules or cues to be used in problem-solving or more open-ended curricula tasks.

As Filipczak (1977) has pointed out, the selection and utilization of of learning materials and equipment are key components to the effectiveness of alternative learning environments for behaviorally disruptive children. He also emphasizes the need to reduce reliance on typical teacher-child verbal exchanges so as to reduce the likelihood of continued negative interactions. A corollary to his advice is the need for an alternative school program to decide whether or not a student will be provided a "parallel" or "modified" curricula. Many school programs attempt to take the generally provided curricula found in general education and modify it to the extent that a student experiences increased success in responding to the material. At a minimum, teacher skill in task analysis, cue presentation, giving specific directions, and broadening the range of accurate responses are necessary to modified curricula approaches. However, we continue to observe poor or unsuccessful responses to modified curricula materials from too many students. One possible reason for less-than-anticipated student response is the material itself. A new instructional structure used with what appears to the student as the "same old stuff" may not include a powerful enough set of variables to overcome what has often become an open aversion by the student to curricula material that has too many cues occasioning unsuccessful, inaccurate responses.

In contrast, a parallel curricula is a sequenced, often hierarchically arranged, set of learning skills that is aside from the learning expectations of the general education system's curricula, i.e., is a parallel curricula track. The curricula material focuses on skills a learner must have to respond effectively to any curricula, but usually basic academic proficiency is sought in reading, writing, spelling, and mathematics operations. Alternative schools are in a unique position to prepare, adopt, and validate experimental curricula that may significantly affect the learning response rates of individual children. The requirements for teacher expertise and curricula management are tremendous (and too exhaustive to discuss here), but the novelty and latticed learning structure within the material itself can influence successful learning rates, a major source of positive reinforcement to students who so often have not experienced curricula-referenced success in the past.

To the extent that an alternative school program can determine the relative value of a parallel, modified or, pragmatically, a blended curricula strategy, a major source of effectiveness can be tapped. Finally, many students within an alternative school program are not going to remain there for their school careers. Goals of "mainstreaming" are established, and students often move from school to school for reasons other than successful completion of a program. As Blackburn (1977) indicates, any alternative program, especially one heavily using a parallel curricula, must attend not only to the success within a program but also to the expectations of the mainstream program. Cognitive and academic response skills generalizable to multiple educational environments are imperative to a child's success.

Social and Behavioral Development

Since a primary purpose for the placement of behaviorally disordered children into alternative school environments is to enhance socialization in a positive manner (no matter what the avowed philosophy or goals of the alternative school), then issues of how to affect socialization processes must be carefully considered. The alternative school can be a source of functional social and behavioral success instead of a social control mechanism for students. Too often these students have been unsuccessful in more traditional programs, especially those that tend to treat all students equally, that teach in a lock-step curricula, and that establish an environment of uniform behavioral expectations.

A plethora of written statements on intervention practices for effecting behavioral and interpersonal interactions, intrapersonal perceptions, and appropriate social roles are available. A major issue at hand for an alternative school is to consider what philosophical-ideational bent to follow and what overall program strategies are to be derived from that context. In special education the choices often seem to be a behaviorist, psychoeducational, or eclectic framework. However, the lack of theoretical purity and daily pragmatic concerns, as noted above, often make the program's ideational context hazy and difficult to describe succinctly.

Rather than focus on a series of intervention strategies and their relationship to behavioral or social change, or justify one particular theoretical approach versus another, it is the intent here to present a few salient programming features that contribute significantly to the value and accomplishments of an alternative school environment within an educational service delivery system. First, a student progress system seems to be correlated with encouraging pro-social role development. Many writers (e.g., Braaten, 1979; Julian & Weitzner, 1982; McCauley & Erikson, 1982) have described student progress systems in which behavioral change expectations, school consequence or reinforcement features, increased student choice and privilege, and enhanced student responsibility are wedded in comprehensive program approaches to guiding wholesale social and behavioral developments. These student progress systems are typically described as student level systems and/or behavioral code systems in which a student moves from one identifiable phase of behavioral intervention to another. In a level system, students usually begin in a classroom or educational group that is more restrictive than higher level groupings. As the youngster makes progress - i.e., responds to the interventions being applied at any one level - then he/she moves to the next level classroom or educational grouping, until the highest level is achieved.

As an example, Julian and Weitzner's (1982) description of their student progress system explains how children move from a behavioristically derived teaching style and classroom environment to an interpersonally, more naturally consequential teaching style and environment to a more reflective, choice oriented teaching style and environment (see Figure 2). These program directors recognize that on any given day a series of behavior management strategies will be used, but that the overall climate of the environment is guided by styles such as they describe.

Figure 2

Example of a Student Progress System

TABLE 2
Levels System

	Objectives	Teacher Style	Student's Developmental Behavioral Level
Level I	Extinction of disruptive behavior; establishment of basic inner controls.	Direct, dominant, authoritarian-implements behavior modification techniques.	Little or no control over behavior; frequent acting-out episodes; some bizarre behaviors.
Level II	Increased inner controls; maintenance of desirable behaviors; beginning development of interpersonal skills.	Blend of direct and indirect, democratic and authoritarian-uses reality therapy techniques and behavior modification techniques as appropriate.	Inner controls established, but need reinforcement; needs to maintain age-appropriate behavior and learn social and academic skills.
Level III	Preparation of student to return to community; firmly established inner controls.	Indirect, relective, democratic-implements reality techniques, aids and reinforces decision-making by the student.	Inner controls well established; needs to develop self-confidence and increase interpersonal and academic skills.

(from Julian & Weitzner, 1982, p. 38)

Essential to the progress system of any educational program is the continuous assessment of progress. Braaten's (1979) description of daily observations and ratings and periodic summaries and reviews is a basic assessment strategy to which programs using level systems for determining progress can adhere. Particular to this type of assessment is the breaking down of desired student social responses and interactions into a series of specific behaviors to be observed. By noting the rate at which students exhibit these behaviors, more precise program planning will occur and intervention strategies will be used. Student progress is related to a substantial data base rather than preconceived adult judgments. In turn, decisions about the movement of students between educational environments (alternative or not, within a program) are derived from the matching of student responses and behavior to the functional characteristics (reinforcement arrangements, teaching styles, curricula demands, etc.) of those educational environments.

Aversive and Deprivation Based Interventions

Alternative school programs for behaviorally disordered children are often expected to cope with youngsters who exhibit seriously disruptive, occasionally violent behaviors. Many programs attempt to decrease these problem behaviors by using procedures that are aversive or deprivational in nature. Most commonly, the deprivational technique of time-out procedures is used, but other strategies such as in-school suspension, out-of-school suspension for a day or longer, or the presentation of aversive consequences are used, e.g., physical restraint. Problems abound in the use (and, too often, misuse) of these strategies, and alternative school programs should expect challenges to their use from consumer, professional, and even legal groups. They are controversial procedures, at best. Programs using such procedures may be well-intended, yet violate a child's rights to appropriate educational programming, the use of less restrictive interventions, and legal or human rights. The misuse of these procedures is unacceptable, and cannot be considered a reasonable or humane alternative to exclusion, disciplinary suspension, or other forms of punishment.

If aversive or deprivational procedures are planned and used, there must be a reasonable expectation that these strategies will assist in meeting the goals that are a part of the behavioral goals (IEP goals) for the child. It is important to set an operational guideline that such strategies will be used only after documentation that positive, less interfering procedures for modifying behavior have been attempted and failed. There may be times when a child's behavior is so suddenly dangerous or disruptive that it temporarily requires aversive or deprivational intervention. However, once such behaviors are recognized to be an ongoing part of the child's behavioral repertoire, then careful planning and adherence to established invervention guidelines must occur.

Recommended intervention guidelines and planning practices for the use of any aversive or deprivational procedures are as follows:

1. Evidence should be available that positive instructional and intervention strategies are ineffective.
2. Identified behaviors of the child must threaten:
    - 2.1 the child's safety or well-being
    - 2.2 another person's safety or well-being
    - 2.3 physical property
    - 2.4 to significantly interfere in the learning process.
3. Baseline data on one or two behaviors, which are described in observable, measurable terms, is presented to a child study team, or team responsible for IEP management with the child.
4. A description and analysis of the behaviors and data should be provided the parent, and their involvement sought in planning to use aversive or deprivational procedures.

5. The team, including parent(s), should make recommendations on the specific procedures to be used, possible alternative procedures, and the appropriateness of the procedures for an individual.

6. The strategies to be used must be agreed upon by all persons who will put them into effect, and be for the benefit of the child and not for the convenience of staff.

7. The strategies to be used must be the least restrictive strategy available that may affect the student and must be paired with strategies designed to increase desired, positive behaviors desired by parents and staff.

8. Strategies should be approved by the planning team prior to their implementation.

9. Methods of daily data collection and specification as to who is responsible for data collection and summaries should be agreed upon.

10. A written plan should be prepared that includes the following:

    10.1 Revised IEP goals and objectives stating terminal behaviors desired and criterion to determine accomplishment of behavior reduction.

    10.2 Precise description of: the strategies to be used; setting in which the procedures are to be used; steps to be followed in carrying out the procedures; and data collection practices.

    10.3 Persons responsible for carrying out the procedures.

    10.4 Review dates on which the plan will be reviewed, modified, or terminated by team members.

11. All staff (and parents, if they choose) who are responsible for carrying out the procedures should receive training on how to implement the plan.

12. The procedures and plan should be supervised systematically to ensure that they are followed as agreed upon.

13. No significant changes in the procedures or plan should be made without full review by the planning team.

14. The parent providing consent to the plan should be made aware in writing that consent may be withdrawn at any time (verbally or preferably in writing) and that the use of aversive or deprivational interventions will be terminated immediately.

The primary deprivational technique used in self-contained alternative school environments has been the "time-out" strategy. Powell and Powell (1982) have provided an excellent analysis on the use of this technique. Evangelist and McCauley (1980) have described the exactness which a school based time-out strategy needs to follow. Other aversive and deprivational strategies have been described elsewhere in the general literature, and while some evaluation of their effectiveness has occurred, more is required. Essentially, powerful intervention techniques are being used with children. These techniques often constrain and suppress behavior, with ripple effects that may be unanticipated or unknown. Even when alternative school staff are wise, careful, and open to continuous re-evaluation of these strategies, their use must be severely restricted.

Mainstreaming

No discussion of alternative school programs for behavior disordered children would be complete without a consideration of children's return to the general education "mainstream". Furthermore, no discussion of mainstreaming can be complete in and of itself - it is a concept and process that has generated much friction and controversy within special education.

Apter (1982) defines mainstreaming as " . . . the conscientious effort to educate handicapped children in the least restrictive setting which is appropriate to their learning needs" (p. 184). In his excellent discussion, Apter (1982) points to the need for an ecological perspective on mainstreaming (and handicapped children), the need to maintain handicapped students in as normal an educational environment as possible, and guidelines for enhancing successful education in the mainstream. A segregated, self-contained alternative school for behavior disordered students needs to attend as faithfully to mainstreaming as does any special program more directly linked to the general education system. Any alternative program that is not fully self-contained must do the same. Fallacious assumptions have been made about the readiness of general school environments to accommodate the return of handicapped students and about the idea that once a student has made substantial progress in an alternative educational environment that student will be ready for the general educational environment. These assumptions have been the undoing of many students in too many instances. Clearly, the alternative school program must plan for transfer of behavioral progress from one environment to another, develop a data base that establishes when a student is ready (or nearly so) to change to a less restrictive, more appropriate educational environment, and have a transition procedure in place that facilitates a child's return to general mainstream programs.

For a special educational alternative school, the planning for return to the mainstream should begin when a referral is submitted. That is, an overall goal is the return of the child to a mainstream (or less restrictive) environment as soon as educationally feasible. Planning can begin by seeking the inclusion of material in a referral process that reflects:

1. efforts by the general education system to modify curriculum and instructional process so as to match environments to the needs of a referred youngster;
2. specific behavioral expectations for a referred youngster that, when met, would lead to movement back toward a mainstream environment;
3. precise descriptions of a child's needs and the potential match with the provisions of an alternative school environment; and
4. the continuation of efforts by parents, educators, and others to maintain a child's integration into the community through involvement in activities, events, youth groups or clubs, and so on.

As this planning occurs during a referral phase, everyone's eyes are kept on a major goal - the maintenance of the child in a mainstream educational program or the return of a child to that type of program. Furthermore, it is possible to deflect inappropriate referrals to self-contained alternative schools by keeping these key considerations in the forefront of an individualized planning process.

A "return to mainstream" planning process continues after a child has entered an alternative school program. A referral process presented earlier in this chapter stressed the use of an assessment phase. Again, relying on Apter (1982), he notes that an ecological perspective can be taken on assessment of student needs and performance levels. While an assessment phase studies the individual child thoroughly, it is probably of equal importance to study the responsibility of the various environments in which the child resides and learns and the discordance between the child and those environments. The major problem in assessment is to determine the match necessary between a child's needs and an educational environment. However, as Apter states, "The ecological perspective points out the importance of studying and focusing change efforts on other elements of the systems defined by each child - the classrooms, the schools, the teachers, the families, etc." (p. 188). For an alternative school, it is important to conduct an assessment phase so that the general education program can be kept informed of the child's needs, can evaluate their educational programming to determine how they will be able to more effectively educate the child upon his/her return, and to maintain a responsible partnership between their programs and the alternative school's in order to continue to participate in the education of a given child wherever possible.

The importance of a student progress system to an alternative school program has been discussed above. Once a behavior disordered child has been placed in an alternative school, he/she enters this student progress system. As periodic reviews of progress are conducted, an overall question is always present: Is the student ready for a transition program that will eventually return him/her to a mainstream educational environment? If the data base indicates that a student has made the kind of progress allowing for movement toward a less restrictive, perhaps mainstream educational program, then transition planning needs to occur.

A step-by-step description of a transition process would be too cumbersome to outline here. What is significant to note about transitioning students to other educational programs is the requirement for a carefully spelled out partnership between alternative special education programs and the mainstream program to which a child is headed. Team decisions need to be made as to when and how transition will occur. Experience has determined that it is critical to the child's success in transitioning to other environments that his/her parents, the mainstream school's principal or designated administrator, special education or special service support personnel in both the mainstream and alternative school programs, and the child's current classroom teacher(s) be substantially involved in the decision-making related to the transition process.

Evaluation

The efficacy of alternative school programs for behavior disordered children and youth is always a knotty problem. As Sabatino (1982) points out, " . . . alternative programs are generated by social conditions, the economic climate, the mood of the nation as reflected in its legislation and funding pattern, and finally by the educational communities' acceptance of change" (p. 9). Furthermore, given the variability in purpose, goals, and practices of alternative school programs, it is difficult to determine what is being evaluated and what cross-program generalizations can be made once evaluation has occurred. Many dilemmas face the alternative school program:

What will be evaluated? How does a school evaluate each program component independently? How can a school validate variables outside the school environment that impact the educational program? How does a school contrast and evaluate the differences between student individual goals and school programmatic goals? Which operational concepts need critical examination among the number of special educational concepts implemented (partially or wholely) within an alternative school program? To what extent will follow-up data on graduated students be used to reflect on program accomplishments? A host of similar questions can be generated to illustrate the complex issues connected to alternative school and special education program evaluation.

Evaluation should be conducted, however. It is important to start somewhere and develop evaluation programs that assist program staff in formulating objectives, revising or modifying program components, critiquing curricula and instructional practices, and establishing a feedback mechanism to all persons involved with an alternative school: students, parents, staff, other educators, and so on. Sindelar and Deno (1978), while discussing the effectiveness of resource programming, comment upon serious methodological and conceptual problems enmeshed in efficacy research that are pertinent to alternative school evaluation. Filipczak (1977) has provided a helpful commentary on the types of data that can be used for evaluation. In essence, these authors' overriding message is that evaluation research must be conducted in relationship to specified program goals, must be as systematic and carefully planned as possible, must be fair and extensive, and be oriented toward upgrading the school program. Evaluation should not be a matter of choice as to whether or not it is conducted; rather the choices should be related to how evaluation is conducted. As Filipczak (1977) said, " . . . the outcomes of [a] program, in all of their forms, for whatever their honest effect, demand exposition in the appropriate medium. A program of no proven value that receives high visibility is no worse than a program of high merit that is unknown" (p. 116).

Alternative Education

Alternative educational programs are not intended to replace the general educational program offerings. They are but a point in a continuum or matrix of educational alternatives available to particular children at particular times in their learning. Alternative school programs for special education populations, especially behaviorally disordered youngsters, are designed to be highly specialized programs for a low-incidence, select group of children who need an educational environment not now available in the general education system. Alternative schools are in a unique position to utilize concepts and strategies that create those necessary and appropriate learning environments, and to enhance the educational opportunities of their students. To the extent that an alternative program does these things, it will provide viable alternatives for behaviorally disordered children and youth who might otherwise have been excluded.

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